

grossed Bills, have had S. B. No. 446 carefully examined, compared and read, and find same correctly engrossed.

LANNING, Chairman.

Austin, Texas,
May 8, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 70 carefully examined, compared and read, and find same correctly enrolled.

STONE of Galveston, Chairman.

SIXTY-FIFTH DAY

(Wednesday, May 10, 1939)

The Senate met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by President Pro Tempore Moore.

The roll was called, and the following Senators were present:

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Martin	Weinert
Metcalfe	Winfield
Moffett	

A quorum was announced present.

The invocation was offered by the Chaplain.

On motion of Senator Weinert, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

Reports of Standing Committees

Senator Weinert submitted the following reports of the Committee on State Affairs:

Austin, Texas,
May 9, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 178, by Dwyer, A bill to be entitled "An Act for the purpose of releasing the interest and penalties on all delinquent ad valorem and poll taxes that were delinquent on or before July 1, 1938, due the State, any county, common school district, road district, levee improvement district, water improvement district, and water control and improvement district, irrigation district, and other defined subdivisions of the State provided same are paid on or before November 1, 1941, in three (3) installments, the first to be paid November 1, 1939; . . . etc.,"

Have had the same under consideration, and I am instructed by a majority of the Committee to report it back to the Senate with the recommendation that it do not pass.

WEINERT, Chairman.

Austin, Texas,
May 9, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 180, by Shell, A bill to be entitled "An Act to amend Chapter 23 of the Acts of the Third Called Session of the Thirty-sixth Legislature of the State of Texas, same being an Act entitled: 'An Act to aid the City of Rockport in constructing sea walls, breakwaters, revetments, and shore protections by donating to the city the ad valorem taxes to be collected by the State of Texas on all property and from all persons owning property situated in Aransas County, Texas, for a period of twenty (20) years, and to authorize said City to issue bonds for the purposes mentioned, and to provide a penalty for the misapplication of funds raised therefrom, and to declare an emergency;' by extending the provisions of said Act for a period of forty (40) years from September 1, 1920, and to aid the City of Rockport to pay interest and sinking funds upon outstanding bonds heretofore issued, the proceeds of which have been used exclusively in constructing and maintaining sea walls, breakwaters, and shore protection to protect the City of Rockport and to issue bonds for the purpose of constructing sea walls,

breakwaters, revetments, and shore protection to protect said City of Rockport."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WEINERT, Chairman.

Austin, Texas,
May 9, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 52, by Pope, A bill to be entitled "An Act to amend Chapter 138 of the Acts of the Regular Session of the Thirty-seventh Legislature, the same being an Act entitled 'An Act to aid the City of Corpus Christi in the construction of a sea wall or breakwater so as to protect said City from calamitous overflow, by donating to said City all the State ad valorem taxes, collected on property and from persons in Jim Wells, Jim Hogg, Brooks, Kleberg, Willacy, and Duval Counties and by donating to said City all the State ad valorem taxes collected on property and from persons in Nueces County not heretofore donated to the City of Corpus Christi by Act of the Thirty-fifth Legislature of Texas, known as House Bill No. 694 for a period of twenty-five (25) years, and to provide a penalty for their misapplication,' by extending the provisions of said Act from September 1, 1946, to September 1, 1956; and declaring an emergency,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WEINERT, Chairman.

Austin, Texas,
May 9, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 308, by Bradbury et al., "A bill to be entitled "An Act declaring the policy of the State in regard to the extension and development of free public library service in all parts of the State; providing for a Texas

Library and Historical Commission of six (6) members, creating a Division of Public Libraries in the Texas State Library, stating the purpose, powers, and duties of the Commission, the State Librarian and Division Directors, and requiring annual reports including a survey of public library facilities in the State; etc.; providing for a State Board of Library Examiners for the certification of public librarians; etc.; and declaring an emergency,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WEINERT, Chairman.

Austin, Texas,
May 9, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 543, by Smith of Frio, A bill to be entitled "An Act providing that all bonds which have been heretofore issued and sold in counties with a population of not less than eight thousand one hundred and seventy-eight (8,178) and not more than eight thousand two hundred and seventy-eight (8,278) people, according to the last preceding Federal Census, where the proceeds of the sale of bonds have been expended, in whole or in part, upon highways which have, before the issuance and sale of said bonds, been temporarily or permanently designated as a part of the State Highway System, shall be entitled to participate in the State Highway Fund, under the provisions and restrictions of Chapter 136, Acts of the Forty-third Legislature of Texas, 1933, and any amendments thereto; and declaring an emergency,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WEINERT, Chairman.

Austin, Texas,
May 9, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. C. R. No. 122, by Gilmer, Granting permission to O. L. Neyland to bring suit against the State of Texas,

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass as amended by Committee Amendment No. 1 hereto attached and be not printed.

WEINERT, Chairman.

Austin, Texas,
May 9, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 949, by McDaniel et al., "A bill to be entitled "An Act providing for hospitalization and full pay for certain officials during period of injuries received while in actual discharge of their duties as such officials; defining and naming such officials; limiting the time for which compensation may be paid; repealing all laws and parts of laws in conflict; and declaring an emergency,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WEINERT, Chairman.

Austin, Texas,
May 9, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 1032, by Celaya, A bill to be entitled "An Act authorizing incorporated cities, towns, or villages, independent school districts, common school districts, drainage districts, water control and improvement districts, water improvement districts, or navigation districts in this State to avail themselves of the services of County Tax Assessors and Collectors; fixing the compensation of said county officers for said services; and declaring an emergency,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WEINERT, Chairman.

Senator Van Zandt submitted at this time the following report of the Committee on Civil Jurisprudence:

Austin, Texas,
May 5, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

H. B. No. 922, by Petsch, A bill to be entitled "An Act authorizing any county having title to a plot of ground used for public purposes, the area of which is in excess of the needs of the county for its public purposes, to sell such excess or any part thereof at private sale for any consideration deemed valuable in law and approved by its Commissioners' Court to the United States of America under the provisions of its Statutes; authorizing the acquisition of sites for public buildings; vesting in the Commissioners' Court the power to make such sales and prescribing its procedure in regard thereto and how and by whom conveyance is to be made in carrying out any such sale; validating and legalizing all proceedings and orders heretofore had and made by the Commissioners' Court of any county undertaking to make any such sale to the United States of America as well as any deed executed and delivered or hereafter executed and delivered, carrying out any such sale; and declaring an emergency,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be mimeographed in lieu of printing.

VAN ZANDT, Chairman.

Message from the House

A Clerk from the House was recognized to present the following message:

Hall of the House of Representatives,
Austin, Texas, May 10, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has granted the request of the Senate for the appointment of a Conference Committee to consider the differences between the two Houses on S. B. No. 117. The following are conferees on the part of the House: Brown of

Cherokee, Lock, Thornton, Chambers, Hankamer.

The House has passed the following bills:

S. B. No. 41, A bill to be entitled "An Act to facilitate the cooperation of this State with other units of government, determining the membership of the Board, and establishing the Texas Commission on Interstate Cooperation; describing the functions and operations of said Commission; providing for the establishment of delegations and committees; providing for reports, and declaring an emergency."

S. B. No. 112, A bill to be entitled "An Act to amend Article 498, Chapter 8, Title 16 of the Revised Civil Statutes of Texas, 1925, relating to fidelity bonds of certain officers and employees of state banking institutions; providing that fidelity insurance policies carried by any bank may be accepted in lieu of such bond or bonds; repealing laws in conflict therewith, and declaring an emergency."

S. B. No. 114, A bill to be entitled "An Act to amend Section 8, of Senate Bill 165, Chapter 165, passed by the Forty-second Legislature, and all amendments thereof with respect to bonds of officers; providing that such bonds may not be required where the corporation carries fidelity insurance as to such officer or employee; repealing laws in conflict therewith, and declaring an emergency."

S. B. No. 115, A bill to be entitled "An Act amending Section 22 of Senate Bill No. 111, Chapter 61, passed at the Second Called Session of the Forty-first Legislature, regulating Building & Loan Associations with respect to bonds of officers and employees of Building & Loan Associations; providing that fidelity insurance policies carried by any association may be accepted in lieu of such bond or bonds; repealing laws in conflict therewith, and declaring an emergency."

S. B. No. 121, A bill to be entitled "An Act amending Section 19, subsection h of Senate Bill No. 5, Acts of the Forty-fourth Legislature, Second Called Session, also known as subsection h of Section 19 of Article 3912e, and all amendments to such Act by adding thereto subsection h-2 affecting the appointment and sal-

aries of deputies in the offices of District Clerks in all counties of 250,000 inhabitants and over, and less than 325,000 inhabitants, according to the last preceding Federal Census, and in any county of a larger population; providing for the method of such appointments and salaries in such counties by the filing of an application with the district judges of such counties, to be accompanied by the statement of such district clerks; providing for the order and approval by the district judges in such counties of the appointment of such deputies and the salaries to be paid such deputies; providing for the order of the Commissioners' Courts of such counties for the payment of said salaries of such deputies out of certain funds of such counties; providing for the oath to be taken by such deputies; providing for the method of discharge or removal of such deputies, and for the increase or decrease of the number of such deputies; providing for the repeal of all laws in conflict herewith; providing for a saving clause and declaring an emergency."

S. B. No. 131, A bill to be entitled "An Act prohibiting escapes from any jail and providing a penalty, repealing all laws or parts of laws in conflict herewith, and declaring an emergency."

S. B. No. 141, A bill to be entitled "An Act amending Article 3393a of the Revised Civil Statutes of 1925 (Acts 1929, Forty-first Legislature, Page 130, Chapter 63, Section 1, and Article 3396 of the Revised Civil Statutes of 1925 as amended by Acts of 1935, Forty-fourth Legislature, Page 654, Chapter 266, Section 1, so as to provide for the method of reducing the amount of bonds required of executors and administrators and for service by citation by mail upon parties in interest not resident in a county; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

S. B. No. 440, A bill to be entitled "An Act validating certain outstanding road and bridge time warrants of Rusk County, Texas, heretofore issued to provide funds for the construction of a connection between State Highway No. 26 and State Highway No. 259 in Commissioners' Precinct No. 1 of said county, said time warrants being in the amount of

\$35,182.15; and declaring an emergency."

S. B. No. 451, A bill to be entitled "An Act amending H. B. No. 72, Chapter 39, Page 83, Section 4, of the General and Special Laws of the Forty-second Legislature, First Called Session, 1931; as amended by H. B. No. 607, of the Regular Session of the Forty-sixth Legislature; providing for assessments upon the scholastic apportionment allocated to Van Zandt County for the purpose of paying the salaries of rural school supervisors in Van Zandt County, and declaring an emergency." (With amendments.)

S. B. No. 453, A bill to be entitled "An Act to provide for acquiring and acceptance of title from San Felipe Park Association and Corporation of San Felipe de Austin to about six hundred fifty (650) acres of land situated in Austin County, Texas, and being a part of the original Five League Grant from the Republic of Mexico to the town of San Felipe de Austin; providing for management and control, beautifying and improving said land, the same to be designated by name as 'Stephen F. Austin State Park'; and declaring an emergency."

S. B. No. 441, A bill to be entitled "An Act authorizing county boards of school trustees to abolish and/or subdivide common school districts having fewer than ten (10) scholars and not having conducted a school for a period of five (5) years; providing that the territory of school district so abolished or subdivided may be attached to contiguous districts in such manner as may be determined by the county boards; provided for the adjustment of bonded indebtedness and the distribution of funds; validating actions of county boards of trustees heretofore taken to accomplish objects authorized by this Act; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

S. B. No. 177, A bill to be entitled "An Act to amend Article 3118 of R. C. S. of 1925, Article 3134 of R. C. S. of 1925, and Article 3139, as amended by S. B. No. 60, Chapter 15, Acts of the First Called Session of the Fortieth Legislature, as amended by S. B. No. 153, Chapter 264, Acts of the Regular Session of the Forty-

fifth Legislature, so as to provide for the equal representation of men and women on political party precinct, county and state conventions and executive committees; repealing all laws or parts of laws in conflict herewith, and declaring an emergency."

S. B. No. 436, A bill to be entitled "An Act amending Section 1 of H. B. No. 115, Acts Fortieth Legislature, First Called Session." (With amendments.)

S. B. No. 452, A bill to be entitled "An Act providing for the payment of the salaries of County Superintendents in certain counties; and providing for the payment of office expenses and traveling expenses of County Superintendents in certain counties, and declaring an emergency." (With amendments.)

S. B. No. 397, A bill to be entitled "An Act to amend Article 4690 of the Revised Civil Statutes of Texas, 1925, as amended by Chapter 152 of the General Laws of the Regular Session of the Forty-second Legislature, by adding Article 4690d to regulate examinations of foreign corporations by the Actuary and Examiners of the Board of Insurance Commissioners; fix rate and method of collection of per diem and expenses therefor; and declaring an emergency." (With amendments.)

S. B. No. 400, A bill to be entitled "An Act to amend Article 7057b, Section 2, Revised Civil Statutes, House Bill No. 11, Acts of the Regular Session, Forty-third Legislature, so as to clarify the kind of suits to be included in a class action as provides in Section 2 of said Article; to provide that suit may be filed in a Court of competent jurisdiction in Travis County, Texas, when the total taxes accrued comes in the jurisdiction of said Court; to provide that original petitions may be amended to include additional taxes paid under protest; providing that the provisions of this Act shall apply to taxes paid under protest and where suits are now pending testing the validity and correctness of such taxes, and declaring an emergency." (With amendments.)

S. B. No. 402, A bill to be entitled "An Act granting to all taxpayers in this State discounts for the advance payment of ad valorem taxes

due to State and all governmental and political sub-divisions and taxing districts of the State as authorized in Section 20, Article 8 of the Constitution of this State adopted August 23, 1937, and declaring an emergency." (With amendments.)

S. B. No. 404, A bill to be entitled "An Act amending Section 1 of Chapter 152, Acts, Regular Session of the Forty-second Legislature relating to fees to be charged and collected by the Board of Insurance Commissioners, so that hereafter said Section 1 which is Article 3920, R. C. S., of Texas, shall read as follows, and declaring an emergency." (With amendments.)

S. B. No. 413, A bill to be entitled "An Act making it unlawful to take fish or shrimp except with certain prescribed tackle in certain waters of Corpus Christi Bay, Nueces County, Texas; providing a penalty for violation of any provision of the Act; providing for disposition of tackle illegally used, repealing all laws in conflict herewith, and declaring an emergency." (With amendments.)

S. B. No. 415, A bill to be entitled "An Act to amend Chapter 1, Title 116 of the Revised Civil Statutes of Texas, 1925, by adding thereto a new section to be known and referred to as Article 6673-b providing that the State Highway Commission be authorized and empowered in its discretion to enter into contracts or agreements with the governing bodies of incorporated cities, towns, and villages relative to the location, relocation, construction, reconstruction, maintenance, control, supervision, and regulation of designated State highways within or through the corporate limits of such incorporated cities, towns and villages, and fixing liabilities of the parties; providing authority to such incorporated cities, towns, and villages to enter into such contracts or agreements with the State Highway Commission; providing that this Act shall be cumulative of other laws; and declaring an emergency."

S. B. No. 211, A bill to be entitled "An Act making an emergency appropriation for the balance of the fiscal year ending August 31, 1939, to pay the salary and necessary traveling, engineering, clerical and miscellaneous expenses of the Rio Grande

Compact Commissioner for Texas in connection with the negotiation, administration and enforcement of the permanent Rio Grande Compact between the States of Texas, Colorado and New Mexico; and declaring an emergency."

S. B. No. 220, A bill to be entitled "An Act fixing the compensation of county auditors in every county having a population of not less than fifty-one-thousand, seven hundred seventy-nine, (51,779) nor more than fifty-two thousand (52,000) inhabitants, according to the last preceding United States Census; amending Article 1645, Title 34 of the Revised Civil Statutes of 1925, as amended by Acts 1937, Forty-fifth Legislature, First Called Session, Page 1827, Chapter 45, Section 3; repealing all laws and parts of laws in conflict herewith; providing a saving clause; and declaring an emergency." (With amendments.)

S. B. No. 236, A bill to be entitled "An Act amending Article 1932 of the Revised Civil Statutes of Texas, of 1925, as amended, so as to provide for a salary for special judge in probate matters, and declaring an emergency."

S. B. No. 262, A bill to be entitled "An Act amending Article 5949, Revised Civil Statutes of 1925, as amended by Chapter 9, Acts of the Regular Session, Fortieth Legislature, so as to provide for appointment of notaries public by the Secretary of State of Texas; prescribing their qualifications and terms of office; providing that this Act shall not affect the terms of those persons who have qualified as notaries public prior to the effective date hereof; providing an effective date for this Act; and declaring an emergency."

S. B. No. 265, A bill to be entitled "An Act to amend Section 4 of S. B. No. 165, Chapter 165, regulating foreign and domestic corporations, enacted at the Regular Session of the Forty-second Legislature, Acts of 1931, as amended (Acts 1937) of the Forty-fifth Legislature in S. B. No. 235 with respect to the publication of a statement by the corporation affected thereby; requiring and regulating the making and publication annually of a statement of the condition of such corporation with respect to its assets and liabilities; providing that such report, when filed, shall not

be open to the public; exempting certain corporations from such requirement of publication; fixing a fee for filing such statements with the Banking Commissioners; revealing all laws and parts of laws in conflict therewith; and declaring an emergency."

S. B. No. 385, A bill to be entitled "An Act validating the incorporation of the City of Grand Saline, Texas; validating the extensions of its boundaries; validating all renditions, assessments, or collections of taxes in said area, and declaring an emergency."

S. B. No. 394, A bill to be entitled "An Act relating to marks and brands of livestock in Brazoria County only; amending Article 6899 of the Revised Civil Statutes of Texas, by adding thereto a new section to be known as Article 6899d, requiring that each owner of any livestock mentioned in Chapter 1, of Title 121, of the Revised Civil Statutes of Texas, of 1925, shall within six (6) months after this Act takes effect, have his mark and brand for such stock recorded at the office of the County Clerk; and providing that such owners shall so record such marks and brands whether heretofore recorded or not and that after the expiration of six (6) months after taking effect of this Act all records and marks and brands now in existence shall no longer have any force or effect and that after the expiration of six (6) months only the records made after Act shall be effective and considered the recorded marks and brands in each County; and further providing that the County Clerk shall publish this Act in some newspaper in general circulation in the County for a period of thirty (30) days; and declaring an emergency."

H. B. No. 56, A bill to be entitled "An Act to amend Section 1 of Chapter 117, being H. B. No. 847, passed by the Forty-second Legislature of the State of Texas as appears from page 229 of the Special Laws of said Forty-second Legislature, so as to make the provisions for repurchase applicable and effective, and declaring an emergency."

H. B. No. 83, A bill to be entitled "An Act providing for the enforced collection of delinquent taxes due to incorporated cities and towns and independent school districts, and pro-

viding for City Councils and Board of Trustees for independent school districts to enter into contracts for the collections of their delinquent taxes, paying therefor a percentage of the taxes collected, and declaring an emergency."

H. B. No. 89, A bill to be entitled "An Act providing for declaratory judgments; specifying the situations to which the Act applies; providing for construction of contracts before breach; making the Act applicable to estates and fiduciary relationships; providing that enumerated powers shall not restrict general powers; vesting discretion in court in exercising powers conferred in this Act; providing for procedure and appeals, supplementary relief, jury trial of facts, and assessing costs; specifying parties who shall be affected; declaring the purpose of the Act, defining terms; providing for a short title, providing for severability of provisions, and declaring an emergency."

H. B. No. 140, A bill to be entitled "An Act to amend Article 6205 of the Revised Civil Statutes of 1925 of the State of Texas, as amended by the Thirty-ninth Legislature, Page 222, Chapter 69, and by the Forty-first Legislature, Page 330, Chapter 153, Section 1, and by the Forty-first Legislature, Fifth Called Session, Page 251, Chapter 82, Section 1, and by the Forty-fifth Legislature, Acts of 1937, H. B. No. 261, and declaring an emergency."

H. B. No. 579, A bill to be entitled "An Act amending Sections 3, 4, 5 and 7 of Chapter 97, Acts of the Regular Session of the Forty-fourth Legislature of the State of Texas, and declaring an emergency."

H. B. No. 652, A bill to be entitled "An Act amending Article 297 of the Penal Code of Texas, of 1925, as amended by Act of the Forty-fourth Legislature in 1935, and declaring an emergency."

H. B. No. 684, A bill to be entitled "An Act providing and authorizing that any bonds, interest thereon, or similar obligations, issued by any municipality or political subdivision of the State may be payable at the office of the State Treasurer; designating and constituting the State Treasurer, Ex-officio Treasurer and fiscal agent

of such municipalities and political subdivisions for such purposes; providing for the deposit and payment of funds by municipalities and political subdivisions with the State Treasurer for such purposes; providing that the State Treasurer shall cancel and return coupons and bonds that have matured or have been retired by purchase and shall at the request of the municipality or political subdivision remit balances remaining on hand for two years for which bonds have not been presented for payment, and declaring an emergency."

H. B. No. 741, A bill to be entitled "An Act changing the name of the Girls' Training School to be hereafter known as the Gainesville State School for Girls."

H. B. No. 878, A bill to be entitled "An Act to amend Section 1, of Senate Bill No. 94, Second Called Session, of the Thirty-eighth Legislature, Chapter 7, Special Laws of 1923."

H. B. No. 950, A bill to be entitled "An Act to amend Sections two (2), four (4), five (5), seven (7), and eight b (8b), and to repeal Section eight (8) of H. B. No. 557, Acts of the Forty-fifth Legislature of the State of Texas as amended by S. B. No. 24 of the First Called Session of the Forty-fifth Legislature and H. B. No. 78 of the Acts of the First Called Session of the Forty-fifth Legislature; said Section two (2) to be amended by providing a definition of 'contract dealer,' and 'cash dealer,' and by providing that the term 'agent' shall comprehend 'transporting agent'; said Section four (4) to be amended so as to provide a license fee for cash dealers; Said Section five (5) to be amended to provide for the bonding of commission merchants and contract dealers; said Section seven (7) to be amended so as to provide a maximum fine in the sum of \$200.00 for violation of the Act; said Section eight b (8b) to be amended so as to provide that the bonding requirements of this Act shall be applicable only to persons engaging in business as commission merchants or contract dealers; Repealing Section eight (8) of said H. B. No. 557, providing a saving clause and declaring an emergency."

H. B. No. 990, A bill to be entitled "An Act amending Article 7117, Revised Civil Statutes of the State of Texas, 1925, as amended, Acts, 1929, Forty-first Legislature, First Called Session, Chapter 50, page 109, Section 1, defining transfers in contemplation of death and providing for a tax on same; amending Article 7118, Revised Civil Statutes of the State of Texas, 1925, as amended, Acts, 1935, Forty-fourth Legislature, Chapter 356, page 922, paragraph 1; amending Article 7119, Revised Civil Statutes of the State of Texas, 1925, as amended, Acts, 1927, Fortieth Legislature, Chapter 62, page 87, Section 1; amending Article 7120, Revised Civil Statutes of the State of Texas, 1925; amending Article 7121, Revised Civil Statutes of the State of Texas, 1925, as amended, Acts, 1927, Fortieth Legislature, Chapter 62, page 87, Acts, 1931, Forty-second Legislature, Chapter 72, page 109, Acts, 1933, Forty-third Legislature, Chapter 192, page 581, Section 2-b, Subsection 20, providing in each case for an increase in taxes by lowering the brackets and increasing the rates of taxation to each class; amending Article 7125, Revised Civil Statutes of the State of Texas, 1925, as amended, Acts, 1929, Forty-first Legislature, Chapter 26, page 60, Section 1, so as to more clearly define deductions permissible for inheritance tax purposes; amending Article 7130, Revised Civil Statutes of the State of Texas, 1925, so as to provide for notice of appraisement to the Comptroller and providing for judicial review of the report of appraisement; amending Article 7131, Revised Civil Statutes of the State of Texas, 1925, so as to provide for suspension of assessment of inheritance taxes pending a judicial review thereof; amending Section 9, Chapter 192, page 588, Acts of 1933, Forty-third Legislature, Regular Session and providing for certification of probate papers to the Comptroller, assessing the costs to the estate; providing for the giving of such information to the Comptroller and fixing a penalty for violation; amending Article 7135, Revised Civil Statutes of the State of Texas, 1925, and providing for the approval by the Comptroller of a County Judge's finding that no inheritance tax is due; declaring that the provisions of this Act shall be severable; saving to the State any

claim for inheritance tax existing under the laws in effect prior to the enactment of this Act; and providing for the collection of such taxes; repealing all laws in conflict with this Act, and declaring an emergency."

H. B. No. 995, A bill to be entitled "An Act providing that it shall be unlawful to kill quail in counties of a certain population except on certain days; providing the number of quail that can be killed in one day, and providing a penalty for violation of this Act."

H. B. No. 999, A bill to be entitled "An Act to prohibit school trustees from soliciting, demanding or suggesting the giving of a bribe for themselves, or for another; prescribing penalties for violation thereof, and declaring an emergency."

H. B. No. 1003, A bill to be entitled "An Act to fix the salaries and compensation of County Commissioners in counties with a taxable valuation of not less than Fifty One Million, One Hundred Thousand (\$51,100,000) Dollars nor more than Fifty One Million, Four Hundred Thousand (\$51,400,000) Dollars taxable valuation for county purposes according to the valuation as shown on the County Tax Assessor-Collector's rolls for the current year of 1938, and providing for payment of such salaries and the funds from which such salaries shall be paid; repealing all laws in conflict herewith, and declaring an emergency."

H. B. No. 1005, A bill to be entitled "An Act making it unlawful to kill or attempt to kill deer or wild turkey or molest same in Red River County for a period of five (5) years; providing a penalty; repealing all conflicting laws, and declaring an emergency."

H. B. No. 1009, A bill to be entitled "An Act amending Chapter 100, Section 36, General Laws, Regular Session, Forty-fourth Legislature, as amended, Acts, 1937, Forty-fifth Legislature, Senate Bill No. 142, Section 2, so as to provide that in no event shall the expenditure for the administration of this Act exceed Sixty-five Thousand (\$65,000.00) Dollars for any one fiscal year, and declaring an emergency."

H. B. No. 1012, A bill to be entitled "An Act validating County Line Common School Districts and County Line Consolidated Common School Districts in this State; validating all acts of the Board or Boards of Trustees in such Districts; validating acts of County Commissioners' Courts in ordering an election; validating all acts of County Judges in ordering elections; validating all acts of officials declaring the results of such elections; validating all bonds issued now outstanding; validating all tax levies heretofore made; and all bonds heretofore authorized or heretofore voted but not yet issued; validating all orders, notices and things requested in the authorization and issuance of bonds; validating the sale, execution and delivery thereof; validating each and every procedural act heretofore done or performed in the organization, management, control, and operation of such school districts, and declaring an emergency."

H. B. No. 1019, A bill to be entitled "An Act amending Section 4 of Chapter 478 of the Regular Session of the Forty-fifth Legislature, 1937, same being House Bill No. 144; providing for an appropriation from the Architect's Registration Fund to pay salaries, compensations, and other expense of the Board of Architectural Examiners; providing certain excess funds to be diverted to the General Revenue Fund of the State; providing salary of the Secretary-Treasurer and certain compensations to other members of said Board, and declaring an emergency."

H. B. No. 1021, A bill to be entitled "An Act making it unlawful to use or possess oyster dredges in or on certain waters of Copano Bay, with exceptions; providing the Game, Fish and Oyster Commission may issue permits to use dredges to improve reefs, and that this Act does not apply to privately owned reefs; providing that United States Geodetic Maps are admissible in case of prosecution for violation of fish and oyster laws; providing a penalty; repealing all laws or parts of laws in conflict herewith, and declaring an emergency."

H. B. No. 1024, A bill to be entitled "An Act to amend Chapter 105 of the Special Laws passed by the Thirty-third Legislature at its Regu-

lar Session in 1913, as amended by Chapter 55, Special Laws of the Forty-third Legislature, Second Called Session, same being a road law for Jackson County, Texas, by adding thereto Sections 5a, 5b, and 5c, creating Road District No. 12, Jackson County, Texas, defining and specifically setting out its boundaries, including therein a portion of Road District No. 1, of said County; authorizing the Commissioners' Court to continue to levy an ad valorem tax for the payment of the principal and interest on all outstanding bonds of the former district embraced within Road District No. 12 herein created; authorizing the issuance of bonds by the newly created Road District in the manner and at such times as provided by the General Laws of Texas, for the issuance of bonds by road districts, and in conformity with Article 3, Section 52 of the State Constitution, and declaring an emergency."

H. B. No. 1029, A bill to be entitled "An Act making it unlawful to kill or attempt to kill deer or wild turkey or molest same in Liberty County for a period of five (5) years; providing a penalty; repealing all conflicting laws, and declaring an emergency."

H. B. No. 1030, A bill to be entitled "An Act amending Article 3902, Section 1, of the Revised Civil Statutes of 1925, by adding Section 1a, providing for salaries of heads of departments which may be appointed by the Commissioners' Courts of counties having a population of not less than nineteen thousand and five hundred (19,500), and not more than nineteen thousand and nine hundred (19,900), according to the last Federal Census, and declaring an emergency."

H. B. No. 1043, A bill to be entitled "An Act providing for a more adequate and equitable salary for County Superintendents of Public Instruction in all of those counties of Texas coming within the brackets and population figures herein—specifically, in all those counties having not less than seventy-seven thousand and not more than seventy-seven thousand, six hundred; and in all those counties having not less than fifty-one thousand, seven hundred seventy and not more than fifty-one thousand, eight hundred; and in all those counties

having not less than twelve thousand, one hundred ninety and not more than twelve thousand two hundred; and in all counties having not less than thirteen thousand, four hundred and not more than thirteen thousand, five hundred, according to the last preceding Federal Census; modifying all laws or parts of laws in conflict herewith, and declaring an emergency."

H. B. No. 1045, A bill to be entitled "An Act giving the Commissioners' Courts authority to fix the salary of the County Judge, Tax Assessor-Collector, County Clerk, District Clerk, Sheriff, and Criminal District Attorney in all counties in this State having a population of not less than thirty thousand and nine hundred (30,900) nor more than thirty-one thousand (31,000), according to the last preceding Federal Census; prescribing the minimum salary; fixing mode and manner of payment of such salaries; fixing effective date; repealing all laws and parts of laws in conflict herewith, to the extent of the conflict only, and declaring an emergency."

H. B. No. 1046, A bill to be entitled "An Act to validate and confirm certain actions and proceedings of the Texas Old Age Assistance Commission and the Governor, Comptroller, and Treasurer of the State of Texas, with respect to the authorization and issuance of warrants for old age assistance under Section 51-b of Article 3 of the Constitution and contracting for the payment of interest on warrants purchased and cashed for the recipients at the request of the Commission and to the authorization and execution of interest-bearing State of Texas Treasury certificates to be issued in exchange for warrants so purchased and to validate and confirm such warrants and certificates as a prior charge on the Texas Old Age Assistance Fund, to validate the appropriation therefor and to make other provisions relating thereto, and declaring an emergency."

H. B. No. 1050, A bill to be entitled "An Act to amend Chapter 3 of Title 128 of the Revised Statutes of 1925, relating to water control and preservation districts by providing that lands in any such district lying within or adjoining the territorial limits of an incorporated city or town, which was not included in such district at

time of the organization of such district, and which lands have been subdivided into town lots and blocks, with streets or other thoroughfares dedicated to the use of the public, and of which a map and such dedication has been duly filed for record with the County Clerk of the county in which lands are situated, may be discontinued as part of such district; providing that the Board of Directors may pass resolutions excluding such territory; providing that the owners of such lands may petition the district for an election to determine the question of whether the lands shall be withdrawn, and for the holding of such an election and providing that lands so withdrawn shall no longer be entitled to be served with water from the irrigation system, and that such lands shall be charged with their pro rata part of existing indebtedness of the said district, and providing that the owner or owners of such land may pay the total of their pro rata at any time."

H. B. No. 1052, A bill to be entitled "An Act validating the subdivision of common county line school districts partly situated in two (2) counties, the supervision of said schools being located in counties having a population of not less than thirty thousand, ten (30,010) and not more than thirty thousand, thirty (30,030), as shown by the last preceding Federal Census; validating the acts of the County School Boards of Trustees of such counties in annexation of such subdivided territory to adjoining school districts in their respective counties; validating the acts of County School Boards of Trustees of such county; validating all elections, tax assessments, assessment rolls, tax rolls, and the levy of taxes by said districts; validating all proceedings had in the issuance of bonds and the levy of taxes therefor; validating the issuance of refunding bonds for the purpose of the assumption of bonded indebtedness of such county line school districts; provided a saving clause, and declaring an emergency."

H. B. No. 1056, A bill to be entitled "An Act making an appropriation of Thirteen Thousand (\$13,000.00) Dollars, or so much thereof as may be necessary, out of the Professional Engineers Fund on deposit in the State Treasury, to pay certain expenses prior to the end of the fiscal

year, August 31, 1939, and declaring an emergency."

H. B. No. 1057, A bill to be entitled "An Act to amend Article 954, Code of Criminal Procedure, to authorize the Governor to remit fines, forfeitures of recognizances and bail bonds, and declaring an emergency."

H. B. No. 1058, A bill to be entitled "An Act creating a Special Road Law for Orange County, Texas, providing that said County may fund or refund the indebtedness outstanding against its Road and Bridge Fund as of March 1, 1939, by the issuance of funding bonds; providing that items of indebtedness as of said date, in the form of scrip, or time warrants, may be included in such funding bond issue, setting forth the method of issuing such funding bonds; validating all acts of the Commissioners' Court and of the County Officials of said County in issuing said scrip or warrants; validating said scrip or warrants; providing that the General Laws pertaining to roads and bridges shall be applicable to said County when not in conflict with the provisions hereof; repealing all laws and parts of laws in conflict herewith; enacting provisions incident and relating to the subject and purpose of this Act, and declaring an emergency."

H. B. No. 1059, A bill to be entitled "An Act to amend House Bill No. 137, Second Called Session, Forty-fifth Legislature, to provide that fish propagated because of expenditures made from the Medina Lake Fund may be distributed to any of the waters of Medina County, and declaring an emergency."

H. B. No. 1061, A bill to be entitled "An Act providing amount of payment to the Executive Committee, in order to have the name placed on official ballot for Representative and Floterial Representative in certain counties; repealing all laws and parts of laws in conflict herewith to the extent of the conflict only, and declaring an emergency."

H. B. No. 1062, A bill to be entitled "An Act declaring a two (2) year closed season on wild fox in certain counties; providing a penalty for violation of this Act, and declaring an emergency."

H. B. No. 1063, A bill to be entitled "An Act to amend Article 2687 of the Revised Public School Laws of Texas, relating to meetings and salaries of County School Board members. Providing a salary of Five (\$5.00) Dollars per day, upon the approval of the County Superintendent and a majority of the County Board members, in counties with a population of not less than thirty-two thousand, four hundred (32,400) and not more than thirty-two thousand, eight hundred (32,800), according to the last Federal Census."

H. B. No. 1067, A bill to be entitled "An Act providing that the securities issued by the Texas National Guard Armory Board shall be legal and authorized investments for life insurance companies and other concerns, officials and persons, as mentioned in the Act, and for public funds, including sinking funds of cities, school districts and other political corporations or subdivisions of said State, and that such securities shall be eligible to secure the deposit of such public funds and sufficient security, to the extent of their value, for such deposits; providing that a finding of unconstitutionality of any part of this Act shall not affect the remainder, and declaring an emergency."

H. B. No. 1070 A bill to be entitled "An Act amending Article 1115 of the Revised Civil Statutes of 1925 by adding as Article 1115-A, provisions for the ratification and validation of the Board of Trustees heretofore created or attempted to be created by any city or town for the owning and operating of city-owned utilities; and providing that such Board of Trustees may have management and control of such systems by ordinance, so long as any of the revenue bonds shall be outstanding and unpaid; repealing all laws in conflict, and declaring an emergency."

H. B. No. 1071, A bill to be entitled "An Act amending Article 2351 of the Revised Civil Statutes of 1925 by adding thereto Section 16, providing that Commissioners' Courts may use county road machinery and funds from the General Fund or Road and Bridge Funds in cleaning streams and in aiding flood control when said Court decides such improvements will be of aid to the county in the maintenance and the building of county roads, and declaring an emergency."

H. B. No. 1072, A bill to be entitled "An Act amending H. B. No. 813, making it unlawful to hunt, shoot or kill any deer or wild turkey for a period of five years in Somervell, Coryell, Hamilton, Erath, Hood, and Johnson Counties, Texas; providing penalty therefor; and declaring an emergency."

The House has adopted the Free Conference Committee report on H. B. No. 194 by a vote of 88 ayes and 29 nos.

Respectfully submitted,

E. R. LINDLEY,
Chief Clerk, House of Representatives.

Senate Resolution 78

Senator Roberts offered the following resolution:

Whereas, The present Legislature has extended for another two-year period the general Oil and Gas Conservation laws; and

Whereas, It has come to the attention of the Legislature that there is no provision in the law which gives the Railroad Commission the authority to regulate the taking of liquid petroleum from all wells in this State; and

Whereas, There are thousands of barrels of liquid petroleum being produced in this State at the present time, which cannot be considered in the oil allowable schedule for this State; and

Whereas, The practice of taking liquid petroleum, which is not considered in the oil allowable schedule, is rapidly growing in this State, but the extent to which such has grown is not known definitely to the members of the Legislature; and

Whereas, It would be to the interest of the Legislature to have this information available to the end that if such were necessary it could enact, intelligently, laws to regulate the taking of such liquid petroleum, now, therefore, be it

Resolved by the Senate of Texas, That the Lieutenant Governor appoint a committee of three to assemble and compile data showing the manner, method, location and extent of such taking of liquid petroleum (by whatever name called) and report such to the Senate at the next session of the Legislature.

The resolution was read.

The President Pro Tempore laid the resolution before the Senate for consideration at this time.

(President in the Chair.)

Senator Cotten moved that the resolution be referred to the Committee on Mining, Irrigation and Drainage.

Pending consideration of the motion to refer, President Pro Tempore Moore and Senator Weinert occupied the Chair temporarily.

(President in the Chair.)

Question—Shall the motion to refer prevail?

Senate Bill 397 with House Amendments

Senator Lemens called S. B. No. 397 from the President's table, for consideration of the House amendments to the bill.

The President laid the bill before the Senate, and the House amendments were read.

Question—Shall the Senate concur in the House amendments?

(Senator Martin in the Chair.)

The Senate concurred in the House amendments by the following vote:

Yeas—30

Beck	Moore
Brownlee	Nelson
Burns	Pace
Collie	Redditt
Cotten	Roberts
Graves	Shivers
Hardin	Small
Head	Spears
Hill	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Nays—1

Aikin

Senate Bill 436 with House Amendments

Senator Brownlee called up S. B. No. 436 from the President's table, for consideration of the House amendments to the bill.

The President laid the bill and the House amendments before the Senate.

Question—Shall the Senate concur in the House amendments?

The Senate concurred in the House amendments by the following vote:

Yeas—31

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Martin	Weinert
Metcalf	Winfield
Moffett	

Senate Bill 404 with House Amendments

Senator Cotten called S. B. No. 404 from the President's table, for consideration of the House amendments to the bill.

The President laid the bill and the House amendments before the Senate.

The Senate concurred in the House amendments by the following vote:

Yeas—31

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Martin	Weinert
Metcalf	Winfield
Moffett	

Senate Bill 451 with House Amendments

Senator Pace called S. B. No. 451 from the President's table for con-

sideration of the House amendments to the bill.

The President laid the bill and the House amendments before the Senate.

The Senate concurred in the House amendments by the following vote:

Yeas—31

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Martin	Weinert
Metcalf	Winfield
Moffett	

Relative to Report on House Bill 583

Senator Van Zandt, by unanimous consent, presented at this time a report of the Committee on Civil Jurisprudence on H. B. No. 583 and also a minority report on the bill.

Senator Weinert raised a point of order against the Senate's receiving the reports, on the ground that there was not a quorum of the Committee on Civil Jurisprudence present at the committee meeting at which the bill was considered, as shown by the minutes of the meeting.

The Presiding Officer (Senator Martin) sustained the point of order and announced the reports and bill would be returned to the committee.

Senator Metcalfe then raised the point of order that Senator Weinert's point of order comes too late and should have been raised in the committee.

The Presiding Officer overruled the point of order.

Senate Bill 452 with House Amendments

Senator Stone of Galveston called up S. B. No. 452 from the President's table, for consideration of the House amendments to the bill.

The President laid the bill and the House amendments before the Senate.

The Senate concurred in the House amendments by the following vote:

Yeas—31

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Martin	Weinert
Metcalf	Winfield
Moffett	

Recess

On motion of Senator Collie, the Senate, at 12:00 o'clock m., took recess to 2:00 o'clock p. m., today.

Afternoon Session

The Senate met at 2:00 o'clock p. m., and was called to order by the President.

Leave of Absence Granted

Senator Hill was granted leave of absence for the remainder of today, on account of important business, on motion of Senator Aikin.

Bills on First Reading

The following bills received from the House today, were laid before the Senate, read severally first time, and referred to the committees indicated:

H. B. No. 56, to Committee on Public Lands and Land Office.

H. B. No. 83, to Committee on State Affairs.

H. B. No. 89, to Committee on Civil Jurisprudence.

H. B. No. 140, to Committee on Finance.

H. B. No. 579, to Committee on Mining, Irrigation and Drainage.

H. B. No. 652, to Committee on Education.

H. B. No. 684, to Committee on Civil Jurisprudence.

H. B. No. 741, to Committee on State Affairs.

H. B. No. 878, to Committee on Education.

H. B. No. 950, to Committee on Agriculture.

H. B. No. 990, to Committee on Civil Jurisprudence.

H. B. No. 995, to Committee on Game and Fish.

H. B. No. 999, to Committee on Criminal Jurisprudence.

H. B. No. 1003, to Committee on Counties and County Boundaries.

H. B. No. 1005, to Committee on Game and Fish.

H. B. No. 1009, to Committee on Finance.

H. B. No. 1012, to Committee on Education.

H. B. No. 1019, to Committee on Finance.

H. B. No. 1021, to Committee on Game and Fish.

H. B. No. 1024, to Committee on Highways and Motor Traffic.

H. B. No. 1029, to Committee on Game and Fish.

H. B. No. 1030, to Committee on Counties and County Boundaries.

H. B. No. 1043, to Committee on Counties and County Boundaries.

H. B. No. 1045, to Committee on Counties and County Boundaries.

H. B. No. 1046, to Committee on Finance.

H. B. No. 1050, to Committee on Mining, Irrigation and Drainage.

H. B. No. 1052, to Committee on Counties and County Boundaries.

H. B. No. 1056, to Committee on Finance.

H. B. No. 1057, to Committee on Penitentiaries.

H. B. No. 1058, to Committee on Counties and County Boundaries.

H. B. No. 1059, to Committee on Game and Fish.

H. B. No. 1061, to Committee on Counties and County Boundaries.

H. B. No. 1062, to Committee on Game and Fish.

H. B. No. 1063, to Committee on Counties and County Boundaries.

H. B. No. 1067, to Committee on Insurance.

H. B. No. 1070, to Committee on Civil Jurisprudence.

H. B. No. 1071, to Committee on Counties and County Boundaries.

H. B. No. 1072, to Committee on Game and Fish.

Bills and Resolutions Signed

The President signed, in the presence of the Senate the following enrolled bills and resolutions:

H. B. No. 1028, "An Act providing that certain independent school districts in certain counties shall remain independent school districts for all purposes regardless of decrease in scholastic population, and declaring an emergency."

H. B. No. 456, "An Act amending Article 7345, Chapter 10, Title 122, Revised Civil Statutes of the State of Texas, of 1925 as amended by Acts of the Forty-third Legislature, First Called Session, 1933, Page 271, Chapter 98, as amended by Acts of the Forty-fourth Legislature, 1935, Page 415, Chapter 165, Section 1, as amended by Senate Bill No. 477, Acts of the Forty-fifth Legislature, 1937, as amended by House Bill No. 456, Acts of the Forty-fifth Legislature, 1937, by adding thereto a new article to be numbered 7345 d, conferring on Commissioners' Courts the power to reopen and reconsider any assessment for taxes, whether on the rendered or un-rendered rolls, and whether current or delinquent upon the application of the owner of such property, or his duly authorized agent, when the assessment is alleged to be discriminatory, or the property rendered for more than its true taxable value, or where said property has greatly depreciated in value, or where by reason of the accumulation of taxes, penalties, interest and costs, enforced collection would be inequitable or confiscatory; etc., and declaring an emergency."

H. B. No. 603, "An Act granting permission to John Albert Jordan to bring suit against the State of Texas, in a court of competent jurisdiction, for damages for personal injuries received by him while a student in the Deaf and Dumb School of the State of Texas, and which injuries are alleged to have produced damages to the said John Albert Jordan; providing that any judgment so recovered to be paid out of the funds of the State of Texas; providing that if any provisions of this Act shall be invalid, that validity

of the other provisions thereof shall not be affected, and declaring an emergency."

H. B. No. 938, "An Act to make it unlawful to take, hunt, trap, shoot or kill any deer and/or wild turkey for a period of three (3) years in Taylor County, Texas; fixing penalties, and declaring an emergency."

H. B. No. 1038, "An Act appropriating Twelve Thousand (\$12,000.00) Dollars, or so much thereof as may be necessary for the month of June, 1939, and Twenty-one Thousand (\$21,000.00) Dollars, or so much thereof as may be necessary, for the month of July, 1939, and Twenty-one Thousand (\$21,000.00) Dollars, or so much thereof as may be necessary, for the month of August, 1939, out of any monies in the Treasury not otherwise appropriated, to defray the administrative expenses of the Texas Relief Commission incurred in connection with the distribution of surplus commodities, the investigation and certification of clients to Works Progress Administration, Civilian Conservation Corps, and National Youth Administration, the administration and liquidation of Federal programs in Texas, and the performance of the duties imposed by law upon such Texas Relief Commission, and declaring an emergency."

H. B. No. 869, "An Act prohibiting the liberation of wild fox in Parker County; providing a suitable penalty for any violation of this Act; repealing all laws in conflict with this Act, and declaring an emergency."

H. C. R. No. 90, Permitting E. L. Martin to bring suit against the Texas Highway Commission and the State of Texas.

H. C. R. No. 137, Granting Honorable Terry Dickens, Judge of the Eighty-second Judicial District Court of Texas, permission to leave the State.

H. C. R. No. 121, Granting Ragland Clinic Hospital permission to sue the State of Texas.

H. C. R. No. 136, Requesting the State Highway Department to lend certain machinery and implements necessary for road construction in the City of Franklin in Robertson County.

H. C. R. No. 130, Granting District Judge C. D. Russell leave of absence from the State.

Senate Resolution 78

The Senate resumed consideration of S. R. No. 78, relating to an investigation of the matter of pro-rating the production of liquid petroleum; with motion by Senator Cotten to refer the resolution to the Committee on Mining, Irrigation and Drainage pending.

Question—Shall the motion to refer prevail?

Pending further consideration of the motion to refer, Senator Graves occupied the Chair temporarily.

(President in the Chair.)

Senator Spears moved the previous question on motion to refer and the adoption of the resolution, and the motion was duly seconded.

The Senate refused to order the main question at this time by the following vote:

Yeas—9

Brownlee	Roberts
Graves	Spears
Kelley	Sulak
Lanning	Van Zandt
Nelson	

Nays—16

Aikin	Metcalf
Burns	Moffett
Collie	Moore
Cotten	Pace
Hardin	Redditt
Head	Shivers
Isbell	Small
Martin	Weinert

Absent

Beck	Stone
Lemens	of Washington
Stone	Winfield
of Galveston	

Absent—Excused

Hill

Senator Spears moved to table the resolution subject to call.

Senator Roberts moved to table the motion of Senator Cotten to refer the resolution to the Committee on Mining, Irrigation and Drainage.

Question—Shall the motion to table the motion to refer prevail?

Reports of Standing Committees

The following reports were submitted by the committee chairmen whose names are signed thereto:

Austin, Texas,
May 10, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Education, to whom was referred

H. B. No. 1012, A bill to be entitled "An Act validating County Line Common School Districts and County Line Consolidated Common School Districts in certain counties of this State; validating all acts of the Board or Boards of Trustees in such districts; validating acts of County Commissioners Courts in ordering elections; etc., and declaring an emergency,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

AIKIN, Chairman.

Austin, Texas,
May 10, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred

H. B. No. 1045, A bill to be entitled "An Act giving the Commissioners' Courts authority to fix the salary of the County Judge, Tax Assessor-Collector, County Clerk, District Clerk, Sheriff, County Attorney and County Commissioners in all counties in this State having a population of not less than thirty thousand nine hundred (30,900) nor more than thirty-one thousand (31,000), according to the past preceding Federal Census; prescribing the minimum salary, etc., and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass and be not printed.

HARDIN, Chairman.

Austin, Texas,
May 10, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred

H. B. No. 1052, A bill to be entitled "An Act validating the subdivision of common line school districts partly situated in two (2) counties, the supervision of said schools being located in counties having a population of not less than thirty thousand and ten (30,010) and not more than thirty thousand and thirty (30,030), as shown by the last preceding Federal Census; validating the acts of the county school boards of trustees of such counties in annexation to adjoining school districts in their respective counties; validating the acts of county school boards of trustees of such county; validating all elections, tax assessments, assessment rolls, tax rolls, and the levy of taxes by said districts; validating all proceedings had in the issuance of bonds and the levy of taxes therefor; validating the issuance of refunding bonds for the purpose of the assumption of bonded indebtedness of such county line districts; eliminating certain school districts from the provisions of the Act; providing a saving clause; and declaring an emergency,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

HARDIN, Chairman.

Austin, Texas,
May 10, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, the Committee on Counties and County Boundaries, to whom was referred

H. B. No. 1003, A bill to be entitled "An Act to fix the salaries and compensation of County Commissioners in counties with a taxable valuation of not less than Fifty-one Million, One Hundred Thousand Dollars (\$51,100,000) nor more than Fifty-one Million, Four Hundred Thousand Dollars (\$51,400,000) taxable valuation for county purposes according to the valuation as shown on the County

Tax Assessor-Collector's rolls for the current year of 1938; providing salary to be fixed by the Commissioners Court; and providing for payment of such salaries and the funds from which such salaries shall be paid; repealing all laws in conflict herewith; and declaring an emergency,"

Have had the same under consideration, and we wish to report it back to the Senate with the recommendation that it do pass and be not printed.

HARDIN, Chairman.

Austin, Texas,
May 10, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

H. B. No. 686, A bill to be entitled "An Act making an appropriation for Upper Red River Flood and Irrigation District, and declaring an emergency,"

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass and be not printed.

ROBERTS, Chairman.

Recess

Senator Weinert moved that the Senate recess to 7:30 o'clock p. m. today.

Yeas and nays were demanded, and the motion prevailed by the following vote:

Yeas—16

Beck	Pace
Brownlee	Redditt
Burns	Small
Hardin	Stone
Isbell	of Washington
Lemens	Van Zandt
Martin	Weinert
Metcalfe	Winfield
Moore	

Nays—13

Aikin	Nelson
Collie	Roberts
Graves	Shivers
Head	Spears
Kelley	Stone
Lanning	of Galveston
Moffett	Sulak

Present—Not Voting

Cotten

Absent—Excused

Hill

Accordingly, the Senate, at 3:15 o'clock p. m., took recess to 7:30 o'clock p. m. today.

Night Session

The Senate met at 7:30 o'clock p. m. to consider local and non-contested bills in accordance with Senate Resolution 47 and Senate Resolution 50 and was called to order by the President.

Senate Bill 454 on Second Reading

On motion of Senator Weinert, and by unanimous consent, the regular order of business was suspended to permit consideration of S. B. No. 454 at this time.

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 454, A bill to be entitled "An Act validating bonds and other instruments or obligations, and the proceedings in reference thereto, heretofore issued by water control and improvement districts, water improvement districts, irrigation districts, conservation and reclamation districts, drainage districts, levee districts, navigation districts, road districts, school districts, counties, cities, incorporated towns and villages of this State for public works projects or for the funding or refunding of indebtedness theretofore incurred; restricting the application of this Act to instances wherein either loans or grants or both have been made to such public bodies by the United States of America, providing that the provisions of the Act shall not apply to any proceedings authorizing the issuance of bonds, notes or warrants, or to such securities in litigation instituted prior to the delivery of such securities and pending when the Act becomes effective, and declaring an emergency"

The bill was read second time and was passed to engrossment.

Senate Bill 454 on Third Reading

Senator Weinert moved that the constitutional rule requiring bills to

be read on three several days be suspended and that S. B. No. 454 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalfe	Weinert
Moffett	Winfield

Absent—Excused

Hill

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalfe	Weinert
Moffett	Winfield

Absent—Excused

Hill

Senate Bill 455 on Second Reading

On motion of Senator Weinert, and by unanimous consent, the regular order of business was suspended to permit consideration of S. B. No. 455 at this time.

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 455, A bill to be entitled "An Act relating to the subject of bonds, notes and warrants issued by the Board of Regents of the University of Texas, the Board of Directors of the Agricultural and Mechanical College, the Board of Directors of the Texas Technological College, the Board of Regents of the State Teachers Colleges, the Board of Regents of the College of Industrial Arts, and the Board of Directors of the Texas College of Arts and Industries, under Chapter Five, Acts of the Second Called Session of the Forty-third Legislature and amendments thereto, and all other laws, including the validating of the bonds, warrants and notes issued by said Boards, the resolutions and other proceedings authorizing their issuance, and the provisions made for the payment of principal and interest of such bonds, warrants and notes; and making it the duty of said Boards to fix, maintain and collect charges or rates sufficient to pay principal and interest as it accrues and matures on bonds, warrants and notes heretofore or hereafter issued, and for reasonable reserves; and declaring an emergency."

The bill was read second time.

Senator Weinert offered the following (committee) amendment to the bill:

Amend S. B. No. 455 by adding a new paragraph at the end of Section 1 of said bill to read as follows:

"Provided, however, that the provisions of this Act shall apply only to such bonds, notes, or warrants as have heretofore or may hereafter be purchased by the Government of the United States or some agency thereof, or which bonds, notes, or warrants are under contract of purchase by the Federal Government or any agency thereof."

The amendment was adopted.

The bill was passed to engrossment.

Message from the House

A Clerk from the House was recognized to present the following message:

Hall of the House of Representatives,
Austin, Texas, May 10, 1939.

Hon. Coke R. Stevenson, President of the Senate:

Sir: I am directed by the House to

inform the Senate that the House has passed the following bills and resolutions:

S. B. No. 44, A bill to be entitled "An Act making an appropriation of \$2,500.00, or so much thereof as may be necessary, to pay a certain judgment rendered on June 16, A. D. 1934, in the 126th District Court of Travis County, Texas, in Cause No. 52,100, wherein Abilene Plumbing Supply Company, Inc. (a corporation), is plaintiff and the State of Texas and the Board of Control of the State of Texas are defendants (the cause being captioned Standard Manufacturing Company vs. Franklin Bros.), for the principal sum of \$1,861.20, with interest at the legal rate of six per cent (6%) per annum from the date of said judgment until paid, and all costs of suit, of which costs there is a balance due of \$64.95, which judgment was affirmed by the Court of Civil Appeals for the Third Supreme Judicial District of Texas and a writ of error dismissed by the Supreme Court, so that said judgment is now a final judgment for the full amount of the principal, interest and costs against the State of Texas and the Board of Control and a valid judgment obligation of record, and declaring an emergency."

S. B. No. 111, A bill to be entitled "An Act to amend Chapter 93, Acts of the First Called Session of the Forty-first Legislature of the State of Texas, further defining the duties of the Commissioner of Agriculture, providing certain safeguards for the purchasers of seed produced outside of Texas and shipped into Texas, providing that seed sold as registered and certified in Texas meet Texas standards, requiring permit to ship certain planting seed into Texas, providing fees for such permits, clarifying certain terms used under the seed certification program, providing penalties, and declaring an emergency." (With amendments.)

S. B. No. 266, A bill to be entitled "An Act making an appropriation for the use of the Guadalupe-Blanco River Authority, providing that it shall be repaid to the State of Texas; and declaring an emergency."

S. B. No. 89, A bill to be entitled "An Act granting aid to San Jacinto, Trinity, Houston, Angelina, Sabine, San Augustine, Jasper, Tyler, Walker

and Shelby Counties, Texas, made necessary by reason of the fact that the Federal Government has purchased in said counties practically fifty per cent (50%) of the land in said counties, thereby taking off the tax rolls so much valuation that said counties cannot operate a county government, and has caused great destruction to the roads and other improvements in said counties, remitting, releasing, granting, and donating to said counties all State ad valorem taxes levied or to be levied on property in said counties, including the rolling stock of railroads for the years 1939-1940, both inclusive; providing that all grants, remissions, and donations shall apply to taxes collected for State General Revenue purposes only; providing that if any part of this Act be held unconstitutional it shall not affect any other part of this Act, and declaring an emergency." (With amendments.)

S. B. No. 118, A bill to be entitled "An Act amending Article 7043 of the Revised Civil Statutes of the State of Texas, as amended, Acts 1931, Forty-second Legislature, Second Called Session, p. 53, Ch. 32, No. 1." (With amendments.)

H. C. R. No. 140, Instructing the Enrolling Clerk of the Senate to make certain changes in Senate Bill No. 220.

H. C. R. No. 141, Instructing the Enrolling Clerk of the House to strike out in House Bill No. 997 from line 4 of Section 1 of the bill, the words "in said County" and insert in lieu thereof the following: "in Kerr County, Texas."

S. C. R. No. 43, Permitting Carl Andeton to sue the State of Texas and the State Highway Department.

H. C. R. No. 143, Requesting the return of S. B. No. 115 for correction.

The House has concurred in Senate amendments to House Bill No. 957 by a vote of 114 yeas, 1 nays.

The House has concurred in Senate amendments to H. C. R. No. 89 by a viva voce vote.

Respectfully submitted,

E. R. LINDLEY,
Chief Clerk, House of Representatives.

Senate Bill 455 on Third Reading

Senator Weinert moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 455 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

Hill

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

Hill

House Bill 1006 on Second Reading

On motion of Senator Stone of Galveston, and by unanimous consent, the regular order of business was sus-

pended to permit consideration of H. B. No. 1006 at this time.

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 1006, A bill to be entitled "An Act to ratify all acts and proceedings of the County Board of School Trustees in any county in the State in consolidating common school districts to independent school districts having a scholastic population of not less than two hundred and fifty (250) and more than four hundred (400), according to the scholastic census at the time of the consolidation and ratifying and confirming all acts and proceedings of the Board in any way relating to such consolidation, and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 1006 on Third Reading

Senator Stone of Galveston moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 1006 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

Hill

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

Hill

Senate Bill 445 on Second Reading

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 445, A bill to be entitled "An Act fixing salaries and compensation of County Commissioners in counties with a population of not less than ten thousand, two hundred and seventy (10,270) inhabitants nor more than ten thousand, two hundred and seventy-five (10,275) inhabitants, according to the last Federal Census, as same now exists or may hereafter exist, and having an assessed valuation of not less than Seven Million, Five Hundred and Fifty-six Thousand Dollars (\$7,556,000) nor more than Seven Million, Six Hundred Thousand Dollars (\$7,600,000), according to the last approved tax rolls, as same now exists or may hereafter exist; providing for the manner of payment of the salaries and the funds from which said salaries shall be paid; repealing all laws in conflict herewith; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 445 on Third Reading

Senator Brownlee moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 445 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

Hill

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

Hill

Senate Bill 200 on Second Reading

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 200, A bill to be entitled "An Act defining bedding to include mattresses, pillows, bolsters, feather beds, etc.; requiring the labelling of bedding as to whether new or second-hand materials are used; prohibiting the use of materials from dump-grounds, junk yards and hospitals; requiring the germicidal treatment of second-hand materials; authorizing

the State Board of Health with enforcement; requiring permits for manufacture, repair or renovation and application of germicidal process; the payment of fees for permits; providing for the issuance of adhesive stamps and registration for selling bedding; providing that proceeds be placed in special Bedding Sanitation Fund for use in administration of Act; providing a penalty; requiring bedding manufacturers or renovators to keep premises sanitary; excepting all bedding manufactured, repaired, renovated and/or sold prior to effective date; providing that if any part of this Act shall be declared unconstitutional, it shall not affect any other part thereof, and declaring an emergency."

The bill was read second time.

Senator Graves offered the following (committee) amendments to the bill:

(1)

Amend S. B. No. 200, by striking out Section 8 and substitute in lieu thereof the following:

"All monies obtained from the sale of stamps, fees and other monies collected in the administration of this Act shall be payable to the department and when collected shall thereafter be transmitted to the State Treasury and be placed in the General Fund and be appropriated out in such amounts that may be deemed necessary by the Legislature. In the administration of this enactment the Regular Departmental Appropriation Bill commission will be adopted.

(2)

Amend S. B. No. 200, Sec. 4, by inserting between the second comma and the word "shall" immediately following said comma the following words: "for resale".

(3)

Amend S. B. No. 200, Sec. 6, paragraph (b) by striking out in the last sentence of said paragraph after the word "including" the words "the date of same" and inserting in lieu thereof the following "the source of material, date of treatment."

(4)

Amend S. B. No. 200, Sec. 7, paragraph (a) by inserting between the

word "shall" and the word "sell" the following: "manufacture, renovate,"

(5)

Amend S. B. No. 200, Sec. 2, Subsection (c) by adding in line 4 after the word "thereon" the following: "for the purpose of defeating any of the provisions of this Act,"

(6)

Amend S. B. No. 200, Page 4, Sec. 9, by striking out after the word "offense" in line 4 the following: "and in default of payment of such fine, to undergo an imprisonment of not less than thirty days for each separate offense, provided that the term of imprisonment at any one time for total computed offenses shall not exceed 6 months.

The amendments were adopted severally.

The bill was passed to engrossment.

Senate Bill 200 on Third Reading

Senator Graves moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 200 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalfe	Weinert
Moffett	Winfield

Absent—Excused

Hill

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—25

Beck	Nelson
Brownlee	Pace
Collie	Redditt
Cotten	Roberts
Graves	Shivers
Hardin	Small
Head	Spears
Kelley	Stone
Lanning	of Galveston
Lemens	Stone
Martin	of Washington
Metcalfe	Sulak
Moffett	Winfield
Moore	

Nays 5

Aikin	Van Zandt
Burns	Weinert
Isbell	

Absent—Excused

Hill

Senate Bill 458 on Second Reading

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 458, A bill to be entitled "An Act providing that private corporations may be formed for the purpose of planning, holding, financing, and conducting the national reunion and convention of any recognized fraternal order when held within the State of Texas, and exercising control over all matters pertaining to such reunion and convention; limiting the amount of filing fee that may be charged such corporations by the Secretary of State; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 458 on Third Reading

Senator Moore moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 458 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Brownlee
Beck	Burns

Collie	Pace
Cotten	Redditt
Graves	Roberts
Hardin	Shivers
Head	Small
Isbell	Spears
Kelley	Stone
Lanning	of Galveston
Lemens	Stone
Martin	of Washington
Metcalfe	Sulak
Moffett	Van Zandt
Moore	Weinert
Nelson	Winfield

Absent—Excused

Hill

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalfe	Weinert
Moffett	Winfield

Absent—Excused

Hill

Senate Bill 285 on Second Reading

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 285, A bill to be entitled "An Act to amend Section 1 of Chapter 210, H. B. No. 253, Acts of the Regular Session of the Forty-first Legislature, 1929; as amended by Section 1, Chapter 142, H. B. No. 4, Acts of the Regular Session of the Forty-fourth Legislature, 1935; as amended by Section 1, Chapter 167, H. B. No. 87, Acts of the Regular Session of the Forty-fifth Legislature, 1937; empowering the State Board of Education to adopt by a

vote of six of its members a multiple list of textbooks in German, Czech, and French languages, for use in public high schools; and by a vote of six of its members to adopt, for use in the public high schools, a multiple list of textbooks in the English language in each of the subjects of commercial arithmetic, bookkeeping, and typewriting; repealing all laws and parts of laws in conflict therewith, and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 285 on Third Reading

Senator Pace moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 285 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

Hill

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Head
Beck	Isbell
Brownlee	Kelley
Burns	Lanning
Collie	Lemens
Cotten	Martin
Graves	Metcalf
Hardin	Moffett

Moore	Stone
Nelson	of Galveston
Pace	Stone
Redditt	of Washington
Roberts	Sulak
Shivers	Van Zandt
Small	Weinert
Spears	Winfield

Absent—Excused

Hill

Committee Substitute for Senate Bill 179 on Second Reading

The President laid before the Senate on its second reading and passage to engrossment:

Committee Substitute for S. B. No. 179, A bill to be entitled "An Act to amend Sections 13 and 15 of House Bill No. 749, Chapter 240, Acts of the Regular Session of the Forty-fourth Legislature, requiring distributors or dealers of motor fuel upon which a refund of the tax may be authorized to secure permit or license from the State Comptroller; providing for the control of invoices of exemption by the State Comptroller, and declaring an emergency."

The bill was read second time and was passed to engrossment.

Committee Substitute for Senate Bill 179 on Third Reading

Senator Metcalfe moved that the constitutional rule requiring bills to be read on three several days be suspended and that Committee Substitute S. B. No. 179 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

Hill

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29

Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert
Moffett	Winfield
Moore	

Nays—1

Aikin

Absent—Excused

Hill

Senate Bill 171 on Second Reading

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 171, A bill to be entitled "An Act providing for voluntary apprenticeship to open to young people the opportunity to obtain training that will equip them for profitable employment and citizenship; to set up, as a means to this end, a program of voluntary apprenticeship under approved apprentice agreements providing facilities for their training and guidance in the arts and crafts of industry and trade, with parallel instruction in related and supplementary education; to promote employment opportunities for young people under conditions providing adequate training and reasonable earnings; to relate the supply of skilled workers to employment demands; to establish standards for apprentice training; to establish an Apprenticeship Council and local and State joint apprenticeship committees to assist in effectuating the purposes of this Act; to provide for a Director of Apprenticeship within the Bureau

of Labor Statistics; to provide for reports to the Legislature and to the public regarding the status of apprentice training in the State; to establish a procedure for the determination of apprentice agreement controversies; and to accomplish related ends."

The bill was read second time.

Senator Spears offered the following (committee) amendment to the bill:

Amend Section 4, Senate Bill No. 171 by striking out the last line in said section of page 4; beginning with the words:

"The member of a State Joint" and ending with words: "of the committee".

The amendment was adopted.

Senator Spears offered the following amendments to the bill:

(1)

Amend S. B. No. 171 by striking out all of Sections two and three beginning on line 58, page 1, and ending with the word education on page 2, line 22.

(2)

Amend S. B. No. 171 by striking out the word "Director" wherever the same appears and substitute in lieu therefor the word "Council"

(3)

Amend the caption to conform to the bill as amended.

The amendments were adopted severally.

The bill was passed to engrossment.

Senate Bill 171 on Third Reading

Senator Spears moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 171 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Burns
Beck	Collie
Brownlee	Cotten

Graves	Redditt
Hardin	Roberts
Head	Shivers
Isbell	Small
Kelley	Spears
Lanning	Stone
Lemens	of Galveston
Martin	Stone
Metcalf	of Washington
Moffett	Sulak
Moore	Van Zandt
Nelson	Weinert
Pace	Winfield

Absent—Excused

Hill

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—13

Brownlee	Redditt
Hardin	Small
Head	Spears
Kelley	Stone
Lanning	of Galveston
Lemens	Sulak
Moffett	Van Zandt

Nays—12

Aikin	Nelson
Beck	Pace
Burns	Roberts
Isbell	Shivers
Metcalf	Weinert
Moore	Winfield

Absent

Collie	Martin
Cotten	Stone
Graves	of Washington

Absent—Excused

Hill

Senate Bill 356 on Second Reading

On motion of Senator Van Zandt, and by unanimous consent, the regular order of business was suspended to permit consideration of S. B. No. 356 at this time.

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 356, A bill to be entitled "An Act amending Article 2671 of the Revised Civil Statutes of Texas as amended by Chapter 278, Acts of the Regular Session of the Forty-first

Legislature, relating to purchase of bonds by Board of Education, and declaring an emergency."

The bill was read second time.

Senator Van Zandt offered the following amendment to the bill:

Amend Section 1 of Senate Bill No. 356 by adding after the words "two and one-half per cent interest", the following: "provided, however, that when the uninvested cash balance in the Permanent School Fund exceeds \$2,000,000 the State Board of Education may purchase at less than two and one-half per cent interest bonds, obligations, or pledges of the United States Government or bonds, obligations, or pledges guaranteed as to principal or as to principal and interest by the United States Government at the market price thereof."

And amend the caption to conform.

The amendment was adopted.

The bill was passed to engrossment.

Senate Bill 356 on Third Reading

Senator Van Zandt moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 356 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

Hill

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalfe	Weinert
Moffett	Winfield

Absent—Excused

Hill

Senate Bill 292 on Second Reading

On motion of Senator Nelson and by unanimous consent, the regular order of business was suspended to permit consideration of S. B. No. 292 at this time.

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 292, A bill to be entitled "An Act authorizing the county board of trustees in counties having a population of not less than five thousand one hundred (5,100) nor more than five thousand two hundred (5,200) as shown by the Federal Census of 1930, to set aside a certain amount of the Available School Fund apportioned to such counties to defray certain expenses in the administration of the scholastic affairs of such counties, repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 292 on Third Reading

Senator Nelson moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 292 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalfe	Weinert
Moffett	Winfield

Absent—Excused

Hill

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalfe	Weinert
Moffett	Winfield

Absent—Excused

Hill

Senate Bill 447 on Second Reading

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 447, A bill to be entitled "An Act to declare a State policy regarding the encouragement and stimulation of new uses for cotton; directing that the various State agencies shall take due notice of such policy; directing particular State agencies to do the same; providing that certain agencies of the State Government shall be revamped and

reorganized; directing the Governor to carry out the policy established by this Act; creating the Cotton Research Award Fund; making an appropriation therefor; providing for a Board of Trustees for said fund; providing the duties and powers of said Board of Trustees; setting forth certain conditions concerning expenditures from said fund; providing for the Comptroller to pay warrants drawn against said funds; and declaring an emergency."

The bill was read second time.

Senator Moffett offered the following amendment to the bill:

Amend S. B. No. 447 by inserting the word "hereafter" between the word "which" and the word "brings" in line 51, page 1.

The amendment was adopted.

The bill was passed to engrossment.

Senate Bill 447 on Third Reading

Senator Moffett moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 447 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

Hill

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

Hill

House Concurrent Resolutions Adopted

The following resolutions, received from the House today, were laid before the Senate and read severally:

H. C. R. No. 140, Authorizing certain corrections in S. B. No. 220.

H. C. R. No. 141, Authorizing certain changes in H. B. No. 997.

H. C. R. No. 143, Recalling S. B. No. 115 from Senate.

By unanimous consent, the resolutions were considered at this time and were adopted severally.

Senate Bill 343 on Second Reading

On motion of Senator Nelson and by unanimous consent, the regular order of business was suspended to permit consideration of S. B. No. 343 at this time.

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 343, A bill to be entitled "An Act repealing Section 3 of S. B. No. 157, passed at the Regular Session of the Forty-fourth Legislature; amending Article 2746 of the Revised Civil Statutes of Texas, 1925, as amended by Chapter 237, Acts of the Forty-fifth Legislature of Texas, Regular Session; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 343 on Third Reading

Senator Nelson moved that the constitutional rule requiring bills to be read on three several days be sus-

pending and that S. B. No. 343 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

Hill

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Beck	Nelson
Brownlee	Pace
Burns	Redditt
Cotten	Roberts
Graves	Shivers
Hardin	Small
Head	Spears
Isbell	Stone
Kelley	of Galveston
Lanning	Stone
Lemens	of Washington
Martin	Sulak
Metcalf	Van Zandt
Moffett	Weinert
Moore	Winfield

Nays—1

Aikin Collie

Absent—Excused

Hill

House Bill 697 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 697, A bill to be entitled "An Act to amend Article 2687, Re-

vised Civil Statutes of Texas, 1925, prescribing the time of meeting of the County Board of School Trustees in counties containing a population of not less than fifty-three thousand, nine hundred and thirty (53,930) and not more than fifty-three thousand, nine hundred and forty (53,940), according to the last preceding United States Census; and providing for their compensation; providing the fund from which same shall be paid; prescribing the nature of certain of said meetings; providing this Act shall be cumulative of all existing laws on this subject but this Act shall apply where in conflict therewith, and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 697 on Third Reading

Senator Lemens moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 697 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

Hill

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Collie
Beck	Cotten
Brownlee	Graves
Burns	Hardin

Head	Roberts
Isbell	Shivers
Kelley	Small
Lanning	Spears
Lemens	Stone
Martin	of Galveston
Metcalfe	Stone
Moffett	of Washington
Moore	Sulak
Nelson	Van Zandt
Pace	Weinert
Redditt	Winfield

Absent—Excused

Hill

House Bill 490 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 490, A bill to be entitled "An Act amending H. B. No. 38, Chapter 7, page 13, of the General and Special Laws of the Forty-third Legislature, Third Called Session, 1934, providing for open season for taking squirrels in Nacogdoches County; providing penalties; repealing all laws in so far as they may be in conflict, and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 490 on Third Reading

Senator Redditt moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 490 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalfe	Weinert
Moffett	Winfield

Absent—Excused

Hill

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalfe	Weinert
Moffett	Winfield

Absent—Excused

Hill

House Bill 1022 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 1022, A bill to be entitled "An Act providing an open season when it shall be lawful to hunt, take, or kill squirrels in Angelina County, Texas; fixing a penalty for the violation hereof; repealing all laws in conflict herewith, and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 1022 on Third Reading

Senator Redditt moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 1022 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Head
Beck	Isbell
Brownlee	Kelley
Burns	Lanning
Collie	Lemens
Cotten	Martin
Graves	Metcalfe
Hardin	Moffett

Moore	Stone
Nelson	of Galveston
Pace	Stone
Redditt	of Washington
Roberts	Sulak
Shivers	Van Zandt
Small	Weinert
Spears	Winfield

Absent—Excused

Hill

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalfe	Weinert
Moffett	Winfield

Absent—Excused

Hill

House Bill 965 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 965, A bill to be entitled "An Act declaring a certain area adjacent to the town of Rockport, Aransas County, Texas, a Wildlife Sanctuary; providing a suitable penalty for hunting thereon; repealing all conflicting laws, and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 965 on Third Reading

Senator Small moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 965 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalfe	Weinert
Moffett	Winfield

Absent—Excused

Hill

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalfe	Weinert
Moffett	Winfield

Absent—Excused

Hill

House Bill 1017 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 1017, A bill to be entitled "An Act making it unlawful to catch by the use of seine of not less than three (3) inch mesh any fish in the waters of the Sabine River in Sabine County. Repealing all laws and parts of laws in conflict herewith to the extent of the conflict only, provided this Act shall not apply to other streams in Sabine County, and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 1017 on Third Reading

Senator Redditt moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 1017 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalfe	Weinert
Moffett	Winfield

Absent—Excused

Hill

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalfe	Weinert
Moffett	Winfield

Absent—Excused

Hill

House Bill 1023 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 1023, A bill to be entitled "An Act declaring it unlawful for any person to kill, take, or have in his possession for purpose of sale in Angelina and Tyler Counties any wild fox or the pelts thereof, providing that this law shall be in force for a period of two (2) years; providing various exceptions and exemptions; prescribing a penalty for the violation of the provisions of this Act; repealing all laws in conflict, and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 1023 on Third Reading

Senator Redditt moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 1023 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalfe	Weinert
Moffett	Winfield

Absent—Excused

Hill

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Hardin
Beck	Head
Brownlee	Isbell
Burns	Kelley
Collie	Lanning
Cotten	Lemens
Graves	Martin

Metcalf	Spears
Moffett	Stone
Moore	of Galveston
Nelson	Stone
Pace	of Washington
Redditt	Sulak
Roberts	Van Zandt
Shivers	Weinert
Small	Winfield

Absent—Excused

Hill

House Bill 808 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 808, A bill to be entitled "An Act to amend Article 1645, Title 34, of the Revised Civil Statutes of the State of Texas of 1925, as amended by Chapter 35, General and Special Laws passed at the First Called Session of the Fortieth Legislature, as amended by Chapter 28, General and Special Laws passed at the First Called Session of the Forty-first Legislature, as amended by Chapter 15, General and Special Laws passed at the Second Called Session of the Forty-second Legislature, relating to the appointment and compensation of County Auditors in counties containing a population of thirty-five thousand (35,000) inhabitants, or over, according to the preceding Federal Census, or having a tax valuation of Fifteen Million (\$15,000,000) Dollars, according to the last approved tax rolls; and providing that in all counties of not less than seven thousand, six hundred and eighty (7,680) inhabitants and not more than seven thousand, seven hundred (7,700) inhabitants, according to the 1930 Census, the Commissioners' Courts thereof shall have the power to determine whether an Auditor for such county is a public necessity; etc., and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 808 on Third Reading

Senator Pace moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 808 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

Hill

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

Hill

House Bill 1027 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 1027, A bill to be entitled "An Act amending Article 2350 of the Revised Civil Statutes of 1925, as amended by the Forty-fifth Legislature so as to add thereto a new Section known as 2350 (5), providing for actual and necessary traveling expenses for Commissioners in the conduct of office in certain counties, and providing for source of payment of

such expenses and approval thereof, and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 1027 on Third Reading

Senator Head moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 1027 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalfe	Weinert
Moffett	Winfield

Absent—Excused

Hill

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalfe	Weinert
Moffett	Winfield

Absent—Excused

Hill

(President Pro Tempore in the Chair.)

House Bill 968 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 968, A bill to be entitled "An Act providing for more adequate and equitable salaries for County Superintendents of Public Instruction in all those counties of Texas coming within the brackets and population figures herein, specially in all those counties having not less than twenty thousand seven hundred and ninety (20,790) and not more than twenty thousand eight hundred and twenty-five (20,825) according to the last preceding Federal Census; modifying all laws or parts of laws in conflict herewith; making the Act cumulative of the general law; and declaring an emergency."

The bill was read second time.

Senator Head offered the following amendment to the bill:

Amend H. B. No. 968, Section 1, page 1, lines 20 and 21, by striking out the words and figures "Twenty-six Hundred Dollars (\$2,600)" where they appear, and inserting in lieu thereof the words and figures "Twenty-four Hundred Dollars (\$2,400)".

The amendment was adopted.

The bill was passed to third reading.

House Bill 968 on Third Reading

Senator Head moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 968 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Lanning
Beck	Lemens
Brownlee	Martin
Burns	Metcalfe
Collie	Moffett
Cotten	Moore
Graves	Nelson
Hardin	Pace
Head	Redditt
Isbell	Roberts
Kelley	Shivers

Small
Spears
Stone
of Galveston
Stone
of Washington

Sulak
Van Zandt
Weinert
Winfield

Absent—Excused

Hill

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

Hill

House Bill 945 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 945, A bill to be entitled "An Act providing that in certain counties that whoever shall enter upon the inclosed or uninclosed land of another without the consent of the owner, proprietor or agent in charge thereof, and hunt with firearms or catch any game thereon, or thereon catch or take or attempt to catch or take any fish from any pond, lake, tank or stream on said land, or in any manner depredate upon the same, or take or attempt to take any property from the inclosed or uninclosed land of another, shall be guilty of a misdemeanor; defining what constitutes "inclosed land," and specifying that proof of ownership or lease or agency may be made by parol testimony; providing a penalty, and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 945 on Third Reading

Senator Shivers moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 945 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

Hill

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

Hill

House Bill 808 on Final Passage

Senator Pace moved to reconsider the vote by which H. B. No. 808 was passed.

The motion to reconsider prevailed.

Question—Shall the bill be passed?

Senator Roberts offered the following amendments to the bill:

(1)

Amend H. B. No. 808, by Shell, on page three, line 17, after the words "Federal Census," by adding the following: "and in all counties of not less than forty-three thousand five hundred (43,500), nor over forty-four thousand (44,000) inhabitants, according to the said 1920 Federal Census,"

And amend the caption to conform with the amendment.

(2)

Amend H. B. No. 808, by Shell, on page four at the end of Section 1 after the word "hospital" the following sentence: "In all counties having a population of not less than twenty-nine thousand four hundred (29,400) to twenty-nine thousand five hundred (29,500), the county auditor shall receive not to exceed Eighteen Hundred Dollars (\$1,800.00) per year."

And amend the caption to conform with the amendment.

(3)

Amend H. B. No. 808, by Shell, in the caption by adding the following words on page 1, line 7, after the words "Forty-second Legislature,": "as amended by Acts of 1937, Forty-fifth Legislature, First Called Session, Chapter 45, Page 1826," and by adding the same words in line 8 of Section 1 on page two, after the words "Forty-second Legislature."

The amendments were adopted severally.

The bill was passed by the following vote:

Yeas—30

Aikin	Collie
Beck	Cotten
Brownlee	Graves
Burns	Hardin

Head
Isbell
Kelley
Lanning
Lemens
Martin
Metcalf
Moffett
Moore
Nelson
Pace
Redditt

Roberts
Shivers
Small
Spears
Stone
of Galveston
Stone
of Washington
Sulak
Van Zandt
Weinert
Winfield

Absent—Excused

Hill

House Bill 919 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 919, A bill to be entitled "An Act permitting the taking of fish in public waters and streams of Erath and Hood Counties with certain exceptions; permitting the taking of minnows in certain cases; affixing penalties for violation thereof; repealing all laws and parts of laws in conflict herewith, and especially repealing House Bill No. 351, passed at the Regular Session of the Forty-sixth Legislature, 1939, and declaring an emergency."

The bill was read second time.

Senator Head offered the following amendment to the bill:

Amend H. B. No. 919 by adding to Section 1 the following: "Providing, however, that it shall be unlawful to take by any means or have in possession in said counties any crappie or bass during the months of March or April or at any time less than length provided for by general law."

The amendment was adopted.

The bill was passed to third reading.

House Bill 919 on Third Reading

Senator Head moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 919 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

Hill

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

Hill

House Bill 946 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 946, A bill to be entitled "An Act providing that in certain counties that it shall be unlawful for any person to trap or set a trap or deadfall on the inclosed or uninclosed land of another without the consent or permission of the owner of said land, and so that it shall be unlawful for any person, at any time, to trap or kill upon the posted or inclosed or uninclosed land of another, or be

in possession of a muskrat or other furbearing animal or the hide of such animal, taken from such land, without the consent of the owner or lessee of such land; providing a penalty, and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 946 on Third Reading

Senator Shivers moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 946 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

Hill

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

Hill

House Bill 548 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 548, A bill to be entitled "An Act to fix the maximum rate of tax to be levied for school purposes in all independent school districts which include within their limits a city which has more than seven thousand, eight hundred and fifty (7,850) population, and fewer than eight thousand (8,000) population, according to the last Federal Census, whether under General or Special Law, repealing all laws in conflict herewith, both General and Special, and providing, further, that this Act shall not affect any such independent school district which at this time may have a larger authorized rate of taxation, and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 548 on Third Reading

Senator Shivers moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 548 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalfe	Weinert
Moffett	Winfield

Absent—Excused

Hill

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalfe	Weinert
Moffett	Winfield

Absent—Excused

Hill

House Bill 906 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 906, A bill to be entitled "An Act authorizing the Commissioners' Court of any county having a population of not less than thirty-seven thousand, five hundred (37,500) and not more than thirty-eight thousand, six hundred (38,600) inhabitants, according to the last preceding Federal Census, to allow each County Commissioner the sum of Fifty (\$50.00) Dollars per month for traveling expenses; providing for the source of payment of such expenses, and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 906 on Third Reading

Senator Graves moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 906 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Cotten
Beck	Graves
Brownlee	Hardin
Burns	Head
Collie	Isbell

Kelley	Shivers
Lanning	Small
Lemens	Spears
Martin	Stone
Metcalf	of Galveston.
Moffett	Stone
Moore	of Washington
Nelson	Sulak
Pace	Van Zandt
Redditt	Weinert
Roberts	Winfield

Absent—Excused

Hill

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

Hill

House Bill 1036 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 1036, A bill to be entitled "An Act to provide for the maximum maintenance and bond tax rate for school purposes in all independent school districts in counties having a population of not less than fifty-one thousand, seven hundred and fifty (51,750) and not more than fifty-two thousand (52,000) inhabitants, according to the last preceding Federal Census, and containing in such independent school district a city of not less than twenty-seven thousand, seven hundred and forty (27,740) and not more than twenty-seven thousand, eight hundred (27,800) inhabitants,

according to the last preceding Federal Census; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 1036 on Third Reading

Senator Shivers moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 1036 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

Hill

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

Hill

House Bill 196 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 196, A bill to be entitled "An Act releasing all penalty and interest accrued on ad valorem city taxes which were delinquent on June 1, 1938, in all cities in this State having a population of not less than two hundred thousand (200,000) nor more than two hundred and fifty thousand (250,000) by the last preceding Federal Census, provided said taxes are paid on or before June 1, 1939, and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 196 on Third Reading

Senator Spears moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 196 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalfe	Weinert
Moffett	Winfield

Absent—Excused

Hill

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalfe	Weinert
Moffett	Winfield

Absent—Excused

Hill

House Bill 959 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 959, A bill to be entitled "An Act validating the organization of water control and improvement districts created by authority of Chapter 25, Acts of the Thirty-ninth Legislature, and amendments thereto in any county in the State of Texas having a population of not less than two hundred and fifty thousand (250,000) and not more than three hundred and ten thousand (310,000), according to the last preceding Federal Census; and validating all Acts of the officials in creating such districts; and validating all bonds issued and all bonds voted but not yet issued by such districts; validating all acts of the officials of said district, and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 959 on Third Reading

Senator Spears moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 959 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Brownlee
Beck	Burns

Collie	Pace
Cotten	Redditt
Graves	Roberts
Hardin	Shivers
Head	Small
Isbell	Spears
Kelley	Stone
Lanning	of Galveston
Lemens	Stone
Martin	of Washington
Metcalfe	Sulak
Moffett	Van Zandt
Moore	Weinert
Nelson	Winfield

Absent—Excused

Hill

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalfe	Weinert
Moffett	Winfield

Absent—Excused

Hill

House Bill 791 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 791, A bill to be entitled "An Act making it unlawful to take or kill by trap, snare, or deadfall any fur-bearing animals in the Counties of Harrison and Gregg; providing certain exceptions; providing the length of this Act; prescribing a penalty, and declaring an emergency."

The bill was read second time.

Senator Lemens offered the following amendment to the bill:

Amend H. B. No. 791 by changing the "comma" in line 5 of Section 1, to a period and striking out the balance of lines 5 and 6 in said Section 1.

The amendment was adopted.

The bill was passed to third reading.

House Bill 791 on Third Reading

Senator Lemens moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 791 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalfe	Weinert
Moffett	Winfield

Absent—Excused

Hill

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Metcalfe
Beck	Moffett
Brownlee	Moore
Burns	Nelson
Collie	Pace
Cotten	Redditt
Graves	Roberts
Hardin	Shivers
Head	Small
Isbell	Spears
Kelley	Stone
Lanning	of Galveston
Lemens	Stone
Martin	of Washington

Sulak
Van Zandt

Weinert
Winfield

Absent—Excused

Hill

House Bill 1020 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 1020, A bill to be entitled "An Act providing amount of payment to the Executive Committee, in order to have name placed on ticket for Representative in certain counties; repealing all laws and parts of laws in conflict herewith to the extent of the conflict only, and declaring an emergency."

The bill was read second time.

On motion of Senator Van Zandt, the bill was tabled subject to call.

House Bill 904 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 904, A bill to be entitled "An Act providing that all counties within this State, having a population in excess of fifty thousand inhabitants, may, upon an order being made by its Commissioners' Court for this purpose, provide for and maintain a county law library; providing for the funds for said library; granting to said Court all necessary power and authority to make this Act effective; providing that said Act shall be cumulative, and declaring an emergency."

The bill was read second time.

Senator Shivers offered the following amendment to the bill:

Amend H. B. No. 904 by adding a new section to read as follows:

"Provided, however, that the provisions of this Act shall not apply to any county within this State wherein a Court of Civil Appeals is located in the county seat thereof."

The amendment was adopted.

Senator Van Zandt offered the following amendment to the bill:

Amend H. B. No. 904, Section 1 by striking out the words and figures "based upon the 1930" and substitute in lieu thereof the following:

"according to the last preceding" and amend the caption to conform.

The amendment was adopted.

On motion of Senator Lemens, the bill was tabled subject to call.

House Bill 1051 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 1051, A bill to be entitled "An Act granting permission to W. V. Guthrie, a citizen of the State of Texas, to bring and prosecute suit against the State of Texas, and the State Highway Commission of Texas in any court of competent jurisdiction in the State of Texas to ascertain the amount, if any, due the said W. V. Guthrie for damages alleged to have been sustained by reason of injuries suffered, if any, while working for the State Highway Department on or about October 27, 1937; said suit shall be tried according to the rules of law and equity and procedure as would be applicable if the suit was one for the recovery of compensation insurance by any citizen against the State Highway Commission of Texas if the said State Highway Commission of Texas had complied with all the requirements of Article 6674S of the Revised Civil Statutes of the State of Texas on the date of the injury and had in effect compensation insurance at the said time; providing for right of appeal by either party and for the joinder of other property, etc., and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 1051 on Third Reading

Senator Graves moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 1051 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

Hill

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

Hill

House Bill 1047 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 1047, A bill to be entitled "An Act granting permission to W. E. Gorham, a citizen of the State of Texas, to bring and prosecute suit."

The bill was read second time and was passed to third reading.

House Bill 1047 on Third Reading

Senator Graves moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 1047 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

Hill

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

Hill

House Bill 27 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 27, A bill to be entitled "An Act amending Chapter 44, page 67, Acts of the Fortieth Legislature of the State of Texas, passed in 1927, and declaring an emergency."

The bill was read second time.

Senator Van Zandt offered the following amendments to the bill:

(1)

Amend H. B. No. 27 by adding a new section thereto to read as follows: "The provisions of this Act shall not be effective until January 1, 1940."

(2)

Amend H. B. No. 27 by adding a new paragraph to the bill to read as follows:

"Section 2. The fact that the present provisions of Article 2241a, R. C. S., are antagonistic to other provisions of the statutes establishing the time for filing Bills of Exception and Statement of Facts in the trial court, creates such confusion that harmonizing these provisions of the statutes constitutes an imperative public necessity requiring that the Constitutional Rule demanding that bills be read on three several days be suspended and such rule is hereby suspended."

(3)

Amend the caption to H. B. No. 27 to conform with committee amendments No. 1 and No. 2.

The amendments were adopted severally.

The bill was passed to third reading.

House Bill 37 on Third Reading

Senator Van Zandt moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 37 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalfe	Weinert
Moffett	Winfield

Absent—Excused

Hill

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed

House Bill 31 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 31, A bill to be entitled "An Act amending Article 3370, Revised Civil Statutes of Texas, 1925, and declaring an emergency."

The bill was read second time.

Senator Van Zandt offered the following amendments to the bill:

(1)

Amend H. B. No. 31 by adding a new section thereto to read as follows:

"The provisions of this Act shall not be effective until January 1, 1940."

(2)

Amend H. B. No. 31 by adding a new paragraph to the bill to read as follows:

"Section 2. The fact that, under the provisions of Article 3370 of the Revised Civil Statutes and other provisions of law, the matter has not been definitely determined under what circumstances the jurisdiction of the Probate Court may be invoked, has produced a great deal of confusion to the extent as to create an

imperative public necessity requiring that the constitutional rule prescribing that bills be read on three several days be suspended and such rule is hereby suspended."

(3)

Amend the caption to H. B. No. 31 to conform with Committee Amendments No. 1 and No. 2.

The amendments were adopted severally.

The bill was passed to third reading.

House Bill 31 on Third Reading

Senator Van Zandt moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 31 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

Hill

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

House Bill 28 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 28, A bill to be entitled "An Act amending Article 1839, Revised Civil Statutes of Texas, 1925, and declaring an emergency."

The bill was read second time.

Senator Van Zandt offered the following (committee) amendments to the bill:

(1)

Amend H. B. No. 28 by adding a new section thereto to read as follows:

"The provisions of this Act shall not be effective until January 1, 1940."

(2)

Amend H. B. No. 28 by adding a new paragraph to the bill to read as follows:

"Section 2. The fact that the present provisions of Article 1839 of the Revised Civil Statutes do not provide a time for filing the transcript in the Court of Civil Appeals, creates a confusion contrary to the public welfare to such an extent as to constitute an imperative public necessity requiring that the constitutional rule prescribing that bills be read on three several days be suspended and such rule is hereby suspended."

(3)

Amend the caption to H. B. No. 28 to conform with Committee Amendments No. 1 and No. 2.

The amendments were adopted.

The bill was passed to third reading.

House Bill 28 on Third Reading

Senator Van Zandt moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 28 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Lanning
Beck	Lemens
Brownlee	Martin
Burns	Metcalf
Collie	Moffett
Cotten	Moore
Graves	Nelson
Hardin	Pace
Head	Redditt
Isbell	Roberts
Kelley	Shivers

Small
Spears
Stone
of Galveston
Stone
of Washington

Sulak
Van Zandt
Weinert
Winfield

Absent—Excused

Hill

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

House Bill 29 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 29. A bill to be entitled "An Act amending Article 2246, Revised Civil Statutes of Texas, 1925, and declaring an emergency."

The bill was read second time.

Senator Van Zandt offered the following amendments to the bill:

(1)

Amend H. B. No. 29 by adding a new section thereto to read as follows:

The provisions of this Act shall not be effective until January 1, 1940."

(2)

Amend H. B. No. 29 by adding a new paragraph to the bill to read as follows:

"Section 2. The fact that under the present provisions of Article 2246 of the Revised Civil Statutes the trial court has no authority to extend the time for filing the Statement of Facts and the Bill of Exception for longer than 60 days, and the further fact that the Court of Civil Appeals may extend the time for filing such records with its clerk for a much longer period of time and that very often considerable time is needed in addition to the 60-day limit provided by law, creates an imperative public necessity requiring that the Constitutional Rule providing that bills be read on three several days be suspended and such rule is hereby suspended."

(3)

Amend the caption to H. B. No. 29 to conform with committee amendments No. 1 and No. 2.

The amendments were adopted severally.

The bill was passed to third reading.

House Bill 29 on Third Reading

Senator Van Zandt moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 29 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalfe	Weinert
Moffett	Winfield

Absent—Excused

Hill

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

House Bill 956 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 956. A bill to be entitled "An Act amending Article 1322 of the Revised Civil Statutes of the State of Texas, 1925, relating to the execution of deeds by corporations, and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 956 on Third Reading

Senator Graves moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 956 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

Hill

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

Hill

House Bill 988 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 988, A bill to be entitled "An Act amending Article 36 of the Revised Penal Code of the State of Texas, 1925 Revision, providing and naming when intoxication and use of narcotics shall mitigate the offense, and declaring an emergency."

The bill was read second time.

Senator Shivers offered the following amendment to the bill:

Amend H. B. No. 988 by striking out Section 1, and by inserting in lieu thereof the following:

Section 1. That Article 36 of the Penal Code of the State of Texas, 1925, be amended so as to read hereafter as follows:

Article 36. Intoxication and Use of Narcotics as a Defense.—Neither intoxication nor temporary insanity of mind produced by the voluntary recent use of ardent spirits, intoxicating liquor, or narcotics, or a combination thereof, shall constitute any excuse for the commission of crime. Evidence of temporary insanity produced, however, by such use of ardent spirits, intoxicating liquor or narcotics, or a combination thereof, may be introduced by the defendant in mitigation of the penalty attached to the offense for which he is being tried.

When temporary insanity is relied upon as a defense and the evidence tends to show that such insanity was brought about by the immoderate use of intoxicating liquor or by narcotics or by a combination thereof, the judge shall charge the jury in accordance with the provisions of this Article.

The amendment was adopted.

The bill was passed to third reading.

House Bill 988 on Third Reading

Senator Shivers moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 988 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Brownlee
Beck	Burns

Collie	Pace
Cotten	Redditt
Graves	Roberts
Hardin	Shivers
Head	Small
Isbell	Spears
Kelley	Stone
Lanning	of Galveston
Lemens	Stone
Martin	of Washington
Metcalf	Sulak
Moffett	Van Zandt
Moore	Weinert
Nelson	Winfield

Absent—Excused

Hill

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

Hill

House Bill 637 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 637, A bill to be entitled "An Act to amend paragraph (c) of Section 1, and paragraph (c) of Section 2, of Chapter 299, House Bill No. 759, Acts of the Regular Session of the Forty-fifth Legislature; defining the word 'trapper,' and providing fees for licenses to engage in the taking of fur-bearing animals, and in selling the pelts thereof; repealing all laws in conflict, and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 637 on Third Reading

Senator Shivers moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 637 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

Hill

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

Hill

House Bill 700 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 700, A bill to be entitled "An Act providing that no newspaper, magazine, or other publication, published daily, bi-weekly, weekly, monthly, or otherwise, shall sell, solicit, bargain for, offer or accept political advertisements for money, other consideration, or favors, from more than one candidate for any or all political offices, unless such publication shall have been published and circulated generally for at least twelve (12) months next preceding the acceptance of such political advertisement; provided that this Act shall not apply to those newspapers meeting certain qualifications herein set out; providing a penalty for the breach of this Act, and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 700 on Third Reading

Senator Kelley moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 700 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Beck	Nelson
Brownlee	Pace
Burns	Redditt
Cotten	Roberts
Graves	Shivers
Hardin	Small
Head	Spears
Isbell	Stone
Kelley	of Galveston
Lanning	Stone
Lemens	of Washington
Martin	Sulak
Metcalfe	Van Zandt
Moffett	Weinert
Moore	Winfield

Nays—2

Aikin	Collie
Absent—Excused	
Hill	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Beck	Nelson
Brownlee	Pace
Burns	Redditt
Cotten	Roberts
Graves	Shivers
Hardin	Small
Head	Spears
Isbell	Stone
Kelley	of Galveston
Lanning	Stone
Lemens	of Washington
Martin	Sulak
Metcalfe	Van Zandt
Moffett	Weinert
Moore	Winfield

Nays—2

Aikin	Collie
-------	--------

Absent—Excused

Hill

House Bill 443 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 443, A bill to be entitled "An Act making it unlawful to reproduce or forge any archeological object, representing same to be original, selling or exchanging the same, or knowingly have possession of same, providing for a penalty, and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 443 on Third Reading

Senator Small moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 443 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Burns
Beck	Collie
Brownlee	Cotten

Graves	Redditt
Hardin	Roberts
Head	Shivers
Isbell	Small
Kelley	Spears
Lanning	Stone
Lemens	of Galveston
Martin	Stone
Metcalfe	of Washington
Moffett	Sulak
Moore	Van Zandt
Nelson	Weinert
Pace	Winfield

Absent—Excused

Hill

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

House Bill 656 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 656, A bill to be entitled "An Act to amend Articles 3334-3334A, Title 54 of the Revised Civil Statutes of Texas, Revision 1925, as amended by adding a section to be known as Article 3334B, validating the Acts of Probate Courts in certain cases, and declaring an emergency."

The bill was read second time.

Senator Small offered the following (committee) amendment to the bill:

Amend H. B. No. 656 by adding a new section after Section 1 thereof, to be known as Section 1-a, reading as follows:

"Section 1-a. The provisions of this Act shall not be applicable to the issues in any law suit or in any contested probate proceeding pending in any court of this State on the effective date of this Act."

The amendment was adopted.

The bill was passed to third reading.

House Bill 656 on Third Reading

Senator Kelley moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 656 be

placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens.	Sulak
Martin	Van Zandt
Metcalfe	Weinert
Moffett	Winfield

Absent—Excused

Hill

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalfe	Weinert
Moffett	Winfield

Absent—Excused

Hill

House Bill 459 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 459, A bill to be entitled "An Act to amend Article 1965 of the Revised Civil Statutes as amended by Chapter 48, Acts, 1929, Forty-first Legislature, First Called Session, by

providing the time for the County Judge to sign minutes of probate proceedings, and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 459 on Third Reading

Senator Sulak moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 459 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalfe	Weinert
Moffett	Winfield

Absent—Excused

Hill

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalfe	Weinert
Moffett	Winfield

Absent—Excused

Hill

House Bill 466 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 466, A bill to be entitled "An Act exempting from all State and county ad valorem and occupation taxes certain office buildings of Parents and Teachers Associations, providing a saving clause, and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 466 on Third Reading

Senator Stone of Galveston moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 466 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalfe	Weinert
Moffett	Winfield

Absent—Excused

Hill

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

House Bill 735 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 735, A bill to be entitled "An Act authorizing the Commission-

ers' Court of any County in this State or the governing body of any other subdivision of this State to enter into agreements with the Texas State Employment Service for the establishment and maintenance of a free public employment service within such county or political subdivision and authorizing the Commissioners' Court of any county or the governing body of any other political subdivision to appropriate and expend monies for such purpose."

The bill was read second time and was passed to third reading.

House Bill 735 on Third Reading

Senator Brownlee moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 735 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

Hill

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Kelley
Beck	Lanning
Brownlee	Lemens
Burns	Martin
Collie	Metcalf
Cotten	Moffett
Graves	Moore
Hardin	Nelson
Head	Pace
Isbell	Redditt

Roberts	Stone
Shivers	of Washington
Small	Sulak
Spears	Van Zandt
Stone	Weinert
of Galveston	Winfield

Absent—Excused

Hill

House Concurrent Resolution 58 Adopted

The President laid before the Senate for consideration at this time:

H. C. R. No. 58, Requesting the Supreme Court to promulgate a District Court Rule in the form of Federal Rule 16 adopted by the United States Federal Courts.

The resolution was read and was adopted.

House Bill 904 on Passage to Third Reading

Senator Van Zandt moved to call H. B. No. 904 from the table, on its passage to third reading (the bill having been read second time and tabled subject to call on today).

The motion prevailed.

The President laid the bill before the Senate.

Senator Van Zandt offered the following amendment to the bill:

Amend H. B. No. 904, Section 1, by striking out the following: "where said counties contain in excess of Fifty Thousand (50,000) inhabitants," and substitute in lieu thereof the following: "having a population of not more than Seventy-five Thousand (75,000) inhabitants according to the last preceding Federal Census and having at least two incorporated cities within their boundaries, with a population of not less than Thirteen Thousand Five Hundred (13,500) each"

The amendment was adopted.

Senator Van Zandt moved to reconsider the vote by which the amendment by Senator Shivers was adopted today to the bill.

The motion to reconsider prevailed.

Senator Shivers withdrew the amendment.

The bill then was passed to third reading.

House Bill 904 on Third Reading

Senator Van Zandt moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 904 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

Hill

The President laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

Hill

House Bill 864 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 864, A bill to be entitled "An Act amending Article 3991 of the Revised Civil Statutes of the State of Texas of 1925, so that default judgment may be taken in Justice Court or County Court in forcible entry and detainer proceedings, and declaring an emergency."

The bill was read second time.

Senator Shivers moved to table the bill subject to call.

The motion prevailed.

House Bill 865 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 865, A bill to be entitled "An Act amending Article 3985 of the Revised Civil Statutes of the State of Texas of 1925, so that default judgment may be taken in Justice Court in forcible entry and detainer proceedings, and declaring an emergency."

The bill was read second time.

On motion of Senator Shivers, the bill was tabled subject to call.

House Bill 952 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 952, A bill to be entitled "An Act for the purpose of better conserving the salt water fish and marine resources of the State of Texas, by providing certain regulations and restrictions and the use of certain parts of the waters of all artificial and natural passes now or hereafter constructed and maintained by the Game, Fish and Oyster Commission of the State of Texas as fish passes, providing a penalty, saving clause, and declaring an emergency."

The bill was read second time.

Senator Roberts offered the following amendment to the bill:

Amend H. B. No. 952 by striking out the words and figures "two thousand (2,000)" in lines 9 and 10 of Section 1 and inserting in lieu thereof the following:

"two thousand eight hundred (2,800)"

And amend the caption to conform.

The amendment was adopted.

The bill was passed to third reading.

House Bill 952 on Third Reading

Senator Kelley moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 952 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

Hill

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

Hill

House Bill 922 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 922, A bill to be entitled "An Act authorizing any county having title to a plot of ground used for public purposes, the area of which is in excess of the needs of the county for its public purposes, to sell such excess or any part thereof at private sale for any consideration deemed valuable in law and approved by its Commissioners' Court to the United States of America under the provisions of its statutes authorizing the acquisition of sites for public buildings; vesting in the Commissioners' Court the power to make such sales and prescribing its procedure in regard thereto and how and by whom conveyance is to be made in carrying out any such sale; validating and legalizing all proceedings and orders heretofore had and made by the Commissioners' Court of any county undertaking to make any such sale to the United States of America as well as any deed executed and delivered or hereafter executed and delivered, carrying out any such sale, and declaring an emergency."

The bill was read second time.

Senator Metcalfe offered the following amendment to the bill:

Amend H. B. No. 922 as follows: Strike out the words "consideration deemed valuable in law" wherever such words appear in the caption and body of the bill and write or insert in place of the stricken words, the following words: "fair consideration."

The amendment was adopted.

Senator Spears offered the following amendment to the bill:

Amend H. B. No. 922 by adding a new section to be numbered 3-a, reading as follows:

"Provided, however, said Commissioners' Court shall incorporate in any deed of conveyance to the United States of America a provision reserving concurrent jurisdiction over said lands for the purpose of serv-

ing all State criminal and civil process."

The amendment was adopted.

On motion of Senator Metcalfe, the caption was amended to conform to the body of the bill.

The bill then was passed to third reading.

House Bill 922 on Third Reading

Senator Metcalfe moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 922 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalfe	Weinert
Moffett	Winfield

Absent—Excused

Hill

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalfe	Weinert
Moffett	Winfield

Absent—Excused

Hill

House Bill 928 on Second Reading

On motion of Senator Collie, and by unanimous consent, the regular order of business was suspended to permit consideration of H. B. No. 928 at this time.

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 928, A bill to be entitled "An Act amending Article 4705, Article 4706, and Article 4993 and repealing Article 5006 of the Revised Civil Statutes of Texas of 1925, designating the funds and securities of which the capital stock of insurance companies incorporated under the provisions of Title 78, Chapter 2 of the Revised Civil Statutes of Texas, shall consist, designating the securities in which funds of such companies may be invested, providing certain limitations on the amount of capital stock of general casualty companies and requiring deposits to be made by such companies, and declaring an emergency."

The bill was read second time.

Senator Collie offered the following amendments to the bill:

(1)

Amend H. B. No. 928, page 2, first line of Article 4706 by adding, after the words "no Company" and before the words "organized under provisions of," the following: "Except any writing Life, Health, and Accident Insurance."

(2)

Amend H. B. No. 928, page 1, Section 1, by adding, after "any such Insurance Company" and before "shall consist," the following: "Except any writing Life, Health, and Accident Insurance."

The amendments were adopted severally.

The bill was passed to third reading.

House Bill 928 on Third Reading

Senator Collie moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 928 be

placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalfe	Weinert
Moffett	Winfield

Absent—Excused

Hill

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalfe	Weinert
Moffett	Winfield

Absent—Excused

Hill

House Bill 1052 on Second Reading

Senator Burns moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 1052 be placed on its second reading and passage to third reading and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalfe	Weinert
Moffett	Winfield

Absent—Excused

Hill

The President laid the bill before the Senate; it was read second time and was passed to third reading.

House Bill 1052 on Third Reading

The President then laid H. B. No. 1052 before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalfe	Weinert
Moffett	Winfield

Absent—Excused

Hill

(President in the Chair.)

House Bill 1045 on Second Reading

Senator Aikin moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 1045 be

placed on its second reading and passage to third reading and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

Hill

The President laid the bill before the Senate; it was read second time and was passed to third reading.

House Bill 1045 on Third Reading

The President then laid H. B. No. 1045 before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

Hill

Adjournment

Senator Redditt moved that the Senate adjourn until 10:00 o'clock a. m. tomorrow.

The motion prevailed; and the Senate, accordingly, at 10:00 o'clock p. m., adjourned until 10:00 o'clock a. m. tomorrow.

APPENDIX

Reports of Committee on Enrolled Bills

Austin, Texas,
May 10, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 141 carefully examined, compared and read, and find same correctly enrolled.

STONE of Galveston, Chairman.

Austin, Texas,
May 10, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 115 carefully examined, compared and read, and find same correctly enrolled.

STONE of Galveston, Chairman.

Austin, Texas,
May 10, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 112 carefully examined, compared and read, and find same correctly enrolled.

STONE of Galveston, Chairman.

Austin, Texas,
May 10, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 177 carefully examined, compared and

read, and find same correctly enrolled.

STONE of Galveston, Chairman.

Austin, Texas,
May 10, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 131 carefully examined, compared and read, and find same correctly enrolled.

STONE of Galveston, Chairman.

Austin, Texas,
May 10, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 453 carefully examined, compared and read, and find same correctly enrolled.

STONE of Galveston, Chairman.

Austin, Texas,
May 10, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 415 carefully examined, compared and read, and find same correctly enrolled.

STONE of Galveston, Chairman.

Austin, Texas,
May 10, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 394 carefully examined, compared and read, and find same correctly enrolled.

STONE of Galveston, Chairman.

Austin, Texas,
May 10, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 211 carefully examined, compared and read, and find same correctly enrolled.

STONE of Galveston, Chairman.

Austin, Texas,
May 10, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 265 carefully examined, compared and read, and find same correctly enrolled.

STONE of Galveston, Chairman.

Austin, Texas,
May 10, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 41 carefully examined, compared and read, and find same correctly enrolled.

STONE of Galveston, Chairman.

Austin, Texas,
May 10, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 441 carefully examined, compared and read, and find same correctly enrolled.

STONE of Galveston, Chairman.

Austin, Texas,
May 10, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 440 carefully examined, compared and read, and find same correctly enrolled.

STONE of Galveston, Chairman.

Austin, Texas,
May 10, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 236 carefully examined, compared and read, and find same correctly enrolled.

STONE of Galveston, Chairman.

Austin, Texas,
May 10, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on En-

rolled Bills, have had S. B. No. 121 carefully examined, compared and read, and find same correctly enrolled.

STONE of Galveston, Chairman.

Austin, Texas,
May 10, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 385 carefully examined, compared and read, and find same correctly enrolled.

STONE of Galveston, Chairman.

Austin, Texas,
May 10, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 262 carefully examined, compared and read, and find same correctly enrolled.

STONE of Galveston, Chairman.

SIXTY-SIXTH DAY

(Thursday, May 11, 1939)

The Senate met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by President Stevenson.

The roll was called, and the following Senators were present:

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Martin	Weinert
Metcalfe	Winfield
Moffett	

A quorum was announced present.

The invocation was offered by the Chaplain.

On motion of Senator Aikin, and

by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

Reports of Standing Committees

The following reports were submitted by the chairmen of the several committees to which the bills designated therein were referred:

Austin, Texas,
May 10, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Privileges and Election, to whom was referred

H. B. No. 1007, A bill to be entitled "An Act providing that in all counties in the State of Texas having a population of three hundred thousand (300,000) inhabitants or more, and less than three hundred and fifty-five thousand (355,000) inhabitants according to the last preceding Federal Census, and where such counties have purchased and adopted voting machines for the purpose of holding elections, the County Auditor upon order of the Commissioners' Court shall advertise for bids for the hauling and or transporting voting machines to the various precincts in the county; providing that the Commissioners' Court shall award contract to the lowest and best bidder; providing that the Commissioners' Court shall reserve the right to reject any and all bids; repealing all laws in conflict herewith; and declaring an emergency,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HARDIN, Chairman.

Austin, Texas,
May 10, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred

H. B. No. 1042, A bill to be entitled "An Act providing for compensation for County Auditor in certain counties; providing mode and manner of payment of such salary; making said